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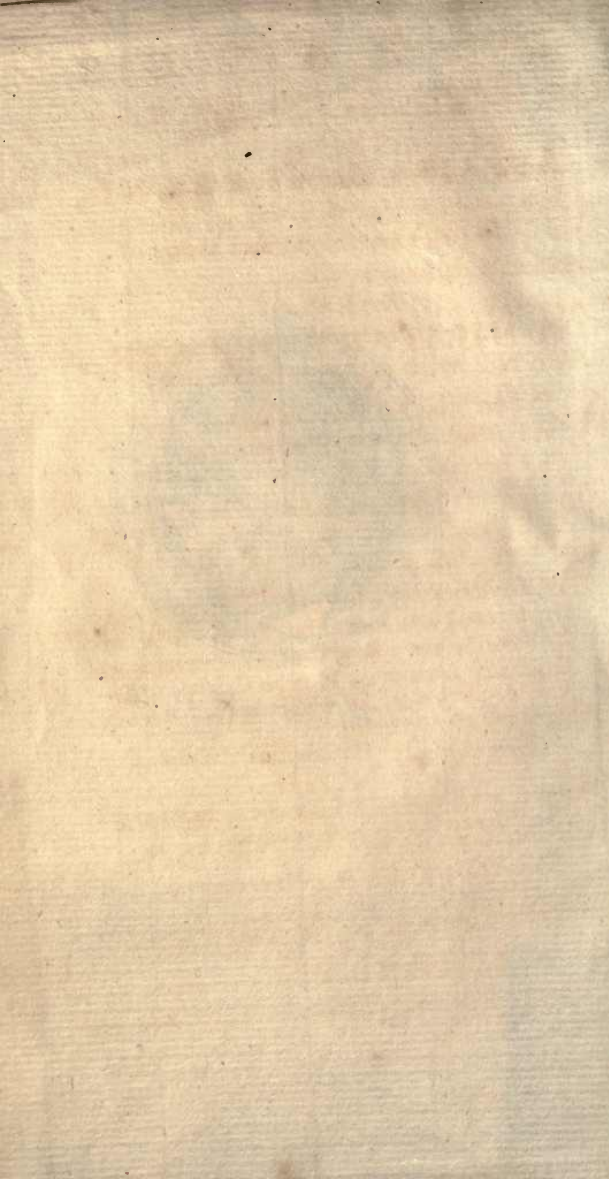


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D E B A T E S

RELATIVE TO THE

AFFAIRS of IRELAND,

In the YEARS 1763 and 1764.

TAKEN BY

A MILITARY OFFICER.

SIT MIHI FAS AUDITA LOQUI. *Virg.*

What I have heard, permit me to relate.

To which is added,

An E N Q U I R Y

How far the RESTRICTIONS laid upon the Trade of IRELAND, by *British* Acts of Parliament, are a Benefit or Disadvantage to the *British* Dominions in general, and to *England* in particular, for whose separate Advantage they were intended.

WITH

Extracts of such Parts of the STATUTES as lay the Trade of IRELAND under those Restrictions.

VOLUME II.

L O N D O N :

M.DCC.LXVI.

D E B A T E S

RELATIVE TO THE

AFFAIRS OF IRELAND,

In the Years 1793 and 1794.

TAKEN AT

A MILITARY OFFICER.

BUT KITH THE ANTIQUARIAN.

WILLIAM BENTLEY, ESQ.

OF THE BARRISTERS AT LAW.

AND JOHN BENTLEY, ESQ.

How far the Restrictions laid upon the
Trade of Ireland, by the Acts of
Parliament, and a Treaty or Disadvantage to
the British Dominions in general, and to the
Trade in particular, for whose separate Advan-
tage they were intended.

WITH

Remarks of John Bentley, Esq. on the Restrictions
laid on the Trade of Ireland.

VOLUME II.

LONDON:

M. BENTLEY, ESQ.

DEBATES

Relative to the

AFFAIRS of IRELAND.

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MONDAY, *November 21, 1763.*

TWENTY-SECOND DAY.

A Report being received from a Committee, relative to several Sums granted, and to be granted for improving an inland Navigation, the House again resolved itself into a Committee of the whole House, to consider of the Supplies and the Speech; when the H—ble Mr B— M— spoke to the following Effect :

The H—ble Mr B— M—.

My own Observation, Sir, as well as what I have heard in this House, relative to the distressed State of this Kingdom, has determined me to do all in my Power to prevent the corrupt or injudicious Disposal of public Money. It is with great Pleasure that I observe a Disposition in the House not to grant Money for the Commencement of new Works, pretended to be of public Utility; but, I am sorry to say, that if the Works that are already begun

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are carried on with an Expence proportioned to that of the Part already executed, they will cost us too dear ; for no Advantage, which it is pretended they will produce, can counterballance the Evil of Bankruptcy, which, I think, they must inevitably bring upon us. A Sum of 5000*l.* is demanded of us for one Part of the *Shannon*, and no less than 50,000*l.* is said to be necessary to compleat that Undertaking, upon which we have expended 76,000*l.* already, and though there are particular Duties established into a regular Fund, for improving the Inland Navigation of this Country, as being the principal Object of National Attention, yet the parliamentary Aids that have been granted for this Purpose are immense : No less, Sir, than 233,000*l.* has been appropriated to that Fund since the Year 1753, from which the Public has not hitherto received the least Advantage. The Undertakerr are, indeed, as liberal of their Promises as we have been of our Money ; these cunning Alchymists are continually telling us, that the Moment of Projection is at hand, and that the Treasures of factitious Gold will be soon poured into our Lap ; we have always been disappointed, yet we still believe ; and though those who pretend to
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enrich us, are every Day enriching themselves at our Expence, we blindly acquiesce in the Cheat, and make the Loss we have incurred already a Reason for incurring greater. We have long believed that the next Sessions will see a Navigation established through the whole Interior of the Kingdom, by a Variety of Schemes, which are still kept on foot with the public Money: But surely, Sir, it is very strange that Experience itself should not convince us that these Schemes are impracticable, and it is strange that we should not yet have discovered that the greater Part of them are unnecessary. What are the Commodities that this Inland Navigation is to transport? Have we any Towns on the Banks, or near the Branches of these Canals, that can supply Vessels with Manufactures, or any other Article of Commerce, in such Quantities as will make the Benefit of Navigation equal to the Expence? Our Roads are good, Sir, Labour is cheap, and Land-Carriage may be procured for such Commodities as we have to send from one interior Town to another, at a very easy Expence; at an Expence much less than will be necessary to keep the Rivers navigable, that we are labouring to make so; supposing we should succeed, new formed

Channels are liable to be obstructed by the falling in of Banks, and the rushing down of Floods: The Stream must, in many Places, be raised by Locks and Flood-Gates, which are Structures of great Expence, and, by being alternately wet and dry, are subject to speedy decay, and, when all is done, as no one House will be able to load a Vessel, its Departure must be delayed till a Freight can be gleaned up from several, so that the Conveyance of the Commodity would not only be more expensive, but less expeditious than by Land, except only in Turf and Coals. With Respect to the Conveyance of these Articles to *Dublin*, Water-Carriage will be an Advantage, and where it is to be appropriated to them, and there is a rational Prospect of Success, at a reasonable Expence, I think the Undertaking should be encouraged. Our first Consideration certainly should be, whether the Towns between which this Communication is to be opened, have any Thing to communicate, whereas we have only considered whose Estate should be improved, and, at the same Time that we have squandered immense Sums in some Counties, we have not laid out a Penny in others, where there were Prospects of greater Advantage, and more easy Success.

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Besides, Sir, the very Method of obtaining Money for these Purposes seems to be inequitable: Why should the Counties of *Fermanagh* and *Cavan* be taxed, to make Experiments upon a Piece of Inland Navigation in *Kilkenney*? If we do appropriate any Sum to these Experiments, let it be by an Addition to the appropriated Duties, and not by enormous Aids of Parliament. The Duties now appropriated to the Inland Navigation of this Kingdom, amount to about 9,000 *l.* a Year, and, if we lay some additional Tax upon Luxury, that will produce about 6,000 *l.* a Year more, the Fund will be quite sufficient to defray the Expences of all Works that may rationally be undertaken on this Account. I think an additional Tax upon Cards would raise 3,000 *l.* of the Money, and playing at Cards is not only a Luxury, but a Luxury that is too frequently pushed into a Vice, the most odious and pernicious that has ever contaminated the Mind, or disturbed Society. The present Tax upon this Article brings in 3000 *l.* a Year, and, I am very confident, that if it was double, there would not be one Card less used than at present.

Mr R— *Fitz-G—* perfectly agreed with Mr M—, and proposed a Tax upon Dogs, which, he said, would contribute to the Preservation of the Game, and raise a considerable Sum besides, as those who kept Dogs for Pleasure would chearfully pay the Tax which secured their Sport.

Sir R— D—.

There is a charitable Institution in this City, Sir, for which I will venture to solicit a parliamentary Aid, even under the fullest Conviction of the Truth of what has been said in this House against such Aids. The late most eminent and excellent Dean of St *Patrick's*, Dr *Jonathan Swift*, left, by his Will, a certain Sum to erect and endow an Hospital for the Cure and Maintenance of Ideots and Lunatics: I should think it Presumption in me to expatiate on the Propriety of this Institution, or by any Attempt at pathetic Eloquence, to interest you for the Objects it was intended to relieve. The greatest possible Proof of its Propriety is the Character of its Founder; a Man who was the Object of universal Admiration and Reverence, for his
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Wit, his Judgment, and his public Spirit; who knew Mankind as *Solomon* did vegetable Nature, from the Cedar in *Lebanon* to the Hyfop upon the Wall, and who made the Foundation of this Charity the last and most solemn Act of a Life that was spent in doing good, not by the Indulgence of a mere Instinct, in an undistinguishing Bounty, nor with the external Graces of Compassion, that solicit the Tribute of Praise, but upon a steady and rational Principle of Piety to God, and Beneficence to Man. For those whom *Swift* distinguished, as having a superior Claim to our Pity, it cannot be necessary to plead with you: To re-place an Ideot, or a Lunatic, in the Scale of rational Beings, is little less than to create a Man; and to support those who are incurable, where they will neither suffer corporal Misery themselves, nor inflict it upon others, is, at least, equal to any Work of Charity in our Power, with Respect to Persons differently afflicted: I therefore move, that it be a Resolution of this Committee that the Sum of 1000*l.* be granted towards the Support of *St Patrick's Hospital*, for Ideots and Lunatics.

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The Question being put, it passed in the Affirmative.

The Committee also granted 1500 *l.* to Messieurs *Nesbit* and Company, for encouraging the Whale Fishery, on the North West Coast of *Ireland*, and the manufacturing the Bone and Blubber.

In the private Committee that had been appointed to examine the Petition the following Particulars appeared, which, though not reported, are too curious to be suppressed.

In the Year 1736, one *Chaplain*, a Lieutenant in his Majesty's Forces, quartered at *Gibraltar*, who had been formerly employed in the *Greenland* Fishery, was informed by Captain *Nesbit*, who was also quartered in that Garrison, that in the Spring of the Year many Whales frequented the North West Coast of *Ireland*; from *Tyland-head* in the County of *Donegal*, to the Bay of *Sligo*; *Chaplain*, being an enterprizing Man, sold his Commission soon after he had received this Information, and came to *Ireland*, with a View to fish for these Whales; he, accordingly,

ingly, procured two Boats to be made upon the Model of those used in the *Greenland Seas*, and furnished himself with Harpoons, and other Instruments, but he was able to kill only two Whales in eight Years. As there were Whales in great Plenty on the Coast, he imputed his bad Success to the Want of a better Apparatus, which, not being able to purchase, he applied to Parliament for aid, and obtained a grant of 500 *l.* but dying before he received it, it was never paid. After his death his Brother pursued his Project, but with no better Success, for eight Years more, during which Time, he also killed two Whales, and then died.

In the Year 1759, Messieurs *Thomas*, and *Andrew Nesbit*, Gentlemen who lived near *Killibegs*, on the Sea Coast of the County of *Donegal*, and who were very skilful in the Herring and other Fisheries, carried on there, seeing Whales in great Numbers, revived *Chaplain's* Undertaking, and took for granted, that he miscarried either for want of Money, or Perseverance. In this Project they engaged Messrs *Benson*, and *Irwin*, Gentlemen of Credit and Property, and procured a Ship to be fitted up in the *Greenland Way*, with
five

five Boats of a new Construction: They also procured Harpooners and other Persons, experienced in the *Greenland* Fishery, and in the Year 1760, they began to fish; but though they saw many Whales they were able to kill none. Mr *Thomas Nesbit* afterwards killed one large Whale with his own Hand, and as there was no Manufactory for the Bone or Blubber in this Kingdom, he sent it to *London*.

After procuring some Alterations and Improvements to be made in his Ship, he made another Attempt with five of the ablest and most skilful Harpooners he could get, and eight Boats extremely well provided, yet not a single Whale was killed that Season, though great Plenty were seen, and Opportunities of striking them often offered.

At length the Company having expended 3000*l.* in the Undertaking, it was discovered that the Method of Fishing, and Harpooning in *Greenland*, would not do in these Seas. In *Greenland*, the Water being always calm, the Boats are not agitated, so that the Harpooner is more sure of his stroke; and the Whale frequently bends his Head downward
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in order to plunge under Water, which the Fishers call Backing, and which, straining and tightening the Skin, the Harpooner seizes that Instant to strike, and the Harpoon enters deeply, which it would not do if the Skin hung loose over the Blubber. In these Seas, on the contrary, the Water is always rough, either by Wind, or a Swell, so that the Harpooner can take no Aim, and the Whale seldom backing, but lying extended on the Surface of the Water, with the Skin loose and flaccid over the Fat, the Harpoon, though it reaches him with considerable force, does not enter. Mr *Nesbit*, therefore, in order to give force to the Harpoon, and also to the Lances, which are discharged at the Fish every Time he rises after the Harpoon has entered, contrived to discharge both the Harpoon and Lance, from a swivel Gun, which succeeded so well, that in the Year 1762, the Company killed three Whales, two of which were between 60 and 70 Feet long, and the other above fifty, and, in this Year 1763, they have killed two Whales of a large Size, which is more than many Ships have done, that have been fitted out for *Greenland* at a vast Expence,

In this State of the Undertaking, they petitioned the Parliament for Aid, and this Committee granted them 1000*l.* as mentioned above.

It is to be observed, that in the Sea off the Coast of *Donegal*, there are, besides the Whales, that yield only Bone and Blubber, the Finn-fish, the Porpoise, the Sun-fish, and the Spermi-ceti-Whale, besides Seals. The Teeth of the Sperma-ceti Whale, are shaped like a Cucumber, and are about 18 Inches long; they are as white as Ivory, take a fine polish, and make very beautiful and durable Handles for Knives and Forks. The Sun-fish is valuable for the Oil that is extracted from the Liver, each Fish yielding about a Ton; they are to be found all the Year, and are taken with great Ease; the other Fish, and the Seals are of little Value.

After some Time spent in the Committee, into which the House resolved itself to consider of the Supplies, the Speaker resumed the Chair, and Mr *M—*, the Chairman of the Committee, was ordered to make his Report the next Morning.

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TUESDAY, Nov. 22, 1763.

TWENTY-THIRD DAY.

THE R—t H—ble Mr A—M—, according to Order reported from the Committee of the whole House, appointed to consider of the Supplies, and the Lord Lieutenant's Speech, the following Resolution.

“That it is the Opinion of the Committee, that a Sum not exceeding 521,161 l. 16 s. 6d. $\frac{1}{4}$ ths, was the Debt of the Nation at *Lady Day*, 1763.”

Upon the reading of this Resolution, among others, Mr W—C—, the Vice P—, observed, that if the House agreed to it as it stood, it would preclude any farther Enquiry into the Right of the Vice Treasurers to the Poundage upon the additional Supplies, which would be very improper, as a Suit in Equity was actually commenced to determine the Question, which plainly appeared to be doubtful, by the Steps that had been taken, as well by the Deputy Vice-Treasurer, as the Attorney-General; he, therefore, proposed

posed, that the Resolution should be made Conditional, so that the Public might obtain the Benefit of the 5000 *l.* claimed for Poundage, if the Suit should go on and be determined in its Favour.

Mr E— S— P— said, he very much approved of what the Vice-P— had said, and that he knew not how the Affair of the Poundage could be cognizable by a Court of Equity, after the House should have allowed the Claim of the Vice-Treasurer, by including it in the National Debt; and that, supposing the Resolution of the House not to preclude the Suit, it was possible that the Determination of the Court might be opposite to that of the House, which would be an Incongruity that they ought to avoid. After re-capitulating some Arguments that had been before used on the Subject, he added, that it was absurd to suppose it to be the Spirit of any Law that the Distresses of the State should multiply themselves, and that the Public should pay a greater Sum to their Servants merely because the Necessity of Affairs obliged them to pay a greater Sum for the Exigencies of the State. The Fees of the Vice-Treasurer, he said, without the Poundage

dage upon additional Duties, amounted to more than their Trust, and their Services deserved; but that, not to enter into the Merits of the Question, he would only second the Motion for an Amendment, to render the Resolution conditional.

The Question being then put for the Amendment, it passed in the Affirmative, and the House came to the following Resolution.

“ That it is Opinion of this Committee,
 “ that a Sum not exceeding 521,161 *l.* 16 *s.*
 “ 6*d.* $\frac{7}{8}$ ths, was the Debt of the Nation at
 “ Lady-Day, 1763; *provided Credit is not*
 “ *to be allowed to the Nation for 5000 *l.**
 “ *claimed by the Vice-Treasurers, on Account*
 “ *of Fees.*”

The following Resolution of the Committee of Supplies was also read. “ That it is
 “ the Opinion of this Committee that the
 “ Sum of 5000 *l.* be granted to the Corpora-
 “ tion for promoting and carrying on an in-
 “ land Navigation in *Ireland*, towards making
 “ the River *Shannon* Navigable from the City,
 “ and Port of *Limerick*, to the Town of

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“ *Killaloo,*

“ *Killaloo*, to be by them accounted for to
 “ Parliament.”

Mr *E—S—P—* then said, that it had appeared to the Committee, upon the strictest Enquiry, that the Navigation of the River *Shannon*, from *Limerick* to *Killaloo*, was one of the most useful in the Kingdom; that the River was no less than 130 Miles long, that it ran through the most fertile and populous Parts of the Country, and passed by very considerable Towns. That the private Committee, therefore, was of Opinion, that 6000 *l.* was a reasonable Aid towards compleating the Navigation of that River; that, he asked, however, but 5000 *l.* which Sum was granted in the Committee of Supplies, but that now he would be content with 4000 *l.*

Mr *P—T—*, the A. G. said, that the Sum, which by the Resolutions of the Committee of Supplies was to be paid to the Undertakers of public Works, of various Kinds, amounted to no less than 126,000 *l.* and that if a more considerable Deduction was not made, than was now proposed, with Respect to this Article, the Scheme of Oeconomy, which had been lain down and enforced

forced, with so much Propriety and Energy, could not be carried into Execution; that the public Debt would increase, the Reduction of which had been expressly recommended from the Throne, and, in Time of Peace, was our highest Interest, and most indispensable Duty. He added, that the Distresses so justly complained of, were owing to the very Errors they were now going to repeat; for that the Difficulties the Nation was then struggling with, arose from the excessive Grants, which had taken Place since the Year 1753, for public Works, amounting to no less than 400,000 *l.* If there was a Surplus in the Treasury, he said, the Money ought to be granted with Frugality, and Circumspection, but that still greater Caution and Oeconomy were necessary, when they were to borrow the Money granted upon Interest.

Mr *L— O—* said, in reply, that though he admitted the great Weight of the National Debt, and the bad Consequences that must arise from its Increase, yet he could by no Means concur with the honourable Gentleman, in supposing it a Reason for not granting Sums to improve the Country, with Respect to its Commerce and Manufactures;

these Grants, he said, immediately, tended to lessen the National Debt, and not to encrease it; and, instead of being considered under the Article of Expences, they should be estimated as Money laid out in Trade, from which a Profit would accrue. There was no Nation in the World, he said, that was so capable of Improvement from its Situation, Climate, Soil, and Rivers, and that it wanted nothing but Population, Manufactures, and Commerce, to make it one of the most flourishing Countries in the World; the Money already laid out for these Purposes had brought in, he said, thirty *per Cent.* and that as Profit was necessary, as well as Oeconomy, to counter-balance the Drains of Pensions and Absentees, he hoped the Business of the Day would be transacted, with a View to that Principle; but he added, that he feared all he could say on the Subject would have little Effect, for that the Business of the Day had been already settled in another Place: — *Here he made a Pause* — and, then added, in the Committee of Supplies.

Mr P—T—, the A. G. said, he was in Hopes, that if the Improvements were so great as had been represented, they would
soon

soon enable the Parliament to grant liberally to farther Improvements, but that, for his own Part, he had not sufficient Evidence of the good Effects of the Money laid out already, to think a Grant of the very high Demands now made a prudent Step. The Surplus, in the Treasury, he said, which had been so often mentioned, arose from the accidental Circumstance of fourteen Regiments being sent out of the Kingdom during the last War, and put upon the *English* Establishment; and that his Majesty was then graciously pleased to permit a very great Part of this Saving to be laid out for the Improvement of the Country, but that, in his Opinion, it was improper to apply the Revenues of the Crown to such Purpose, if there was the least Danger that the Supplies necessary for the Exigencies of Government should fall short, which, he said, whatever might be pretended to the contrary, must bring the Country into Debt. The Application of public Money to these supposed Improvements, never came into the Contemplation of Parliament, he said, when the hereditary Revenue, was established, nor in the Year 1727, when the additional Duties were granted, which had not since been encreased. He observed, therefore, that those

Revenues were originally provided for the Exigencies of Government, and that the Alienation of them to other Purposes was a new Thing: He added, that there was great Inconsistency in complaining of an Establishment as an insupportable Burthen, and, at the same Time, lavishing away enormous Sums, for the Gratification of Gentlemen in particular Counties; for that he could not help considering many of the supposed public Works wholly in that Light. As to Things being settled in another Place, says he, I know not what it means; I observed, a very remarkable Pause, made by the honourable Gentleman who used the Expression, before he added the Words, Committee of Supplies, and I should be sorry to think it was intended as an Impeachment of the Integrity, or Independancy of Parliament, of which that Gentleman has the Honour to be a Member.

Mr *E—S—P—* replied, that he was extremely surprized to find that those very Gentlemen, who were Advocates for sending large Sums out of the Country in Pensions, and argued against an Enquiry into that abuse, were the only Opposers of a reasonable Appropriation of the public Money to the public Benefit;

Benefit; it was, he said, a strange Inconsistency of Character, to countenance Profusion for bad Purposes, and Parsimony for good.

The A. G. answered, that no Man could have acted with greater Consistency than himself; that he always thought it his Duty, and the Duty of every Member of that House, to support his Majesty's usual Establishment out of the Revenues of the Crown appropriated to that Purpose, and that there was not the least Colour of Right, or Justice, in suffering new and uncommon Demands to incumber the Nation with a public Debt; he concluded, by saying, that he had the Satisfaction to find a very large Majority of the House of the same Opinion, and, therefore, he hoped 2500 *l.* being half the Sum demanded, would be thought sufficient.

A Motion being made, and the Question put, that the Resolution of the Committee of Supplies, for granting 5000 *l.* to make the *Shannon* Navigable, from *Limerick* to *Killaloo*, be amended by expunging the Words *five thousand*, and inserting the Words *two thousand five hundred* in their stead; it was carried in the Affirmative.

Another Resolution of the Committee of Supplies, reported this Day to the House :

“ That it is the Opinion of this Committee, that 10,000 *l.* be given to the Corporation of *Dublin*, for carrying on the Grand Canal from that City, through the Bog of *Allen*, to the River *Shannon*, to be by them accounted for to Parliament.

In support of this Resolution it was strongly urged by Dr *L—*, that no Part of the inland Navigation of the Kingdom was so important, or so near being compleated as this, which, if proper Assistance was given, would, in a short Time, supply the Capital with a sufficiency of Water, which was very much wanted, and with plenty of Turf from the *Bog of Allen*, which was the properest Fuel for the Poor, and would encourage and support many Manufactures, which, without plenty of cheap Firing could not be carried on ; he observed, also, that there were many fine Quarries of Stone along the Banks of that Canal, from which Stone might be conveyed to the City at a very moderate Rate. But, upon the Question's being put, this Resolution

solution was amended, by substituting the Words *six thousand*, instead of the Words *ten thousand*.

Another Resolution of the Committee of Supplies reported this Day to the House :

“ That it is the Opinion of this Committee, that a Sum of 4000 *l.* be granted for making the River *Bandon* Navigable from *Inishannon* to *Dunmanway*.”

Mr T— A— said, that he hoped this would not be considered as a new Work, as a parliamentary Aid had been intended for it many Years ago ; and, if it was considered as a new Work, he said, he hoped it might be excepted out of the general Resolution, to grant no Aids to such Works, on account of its singular Utility ; the Town of *Brandon*, he said, differed in two Particulars from every other Town in his Majesty's Dominions, being the most populous for the Ground on which it stood, and not having a single *Roman Catholic* in the whole Corporation. He added, that if the Navigation of the River *Brandon* was improved, it would extend and encrease the Linen Manufactory, the Encourage-

agement of which, in the South of *Ireland*, was universally allowed to be of the highest Consequence, but that as Reductions had been made in other Grants, he should follow the Example, and therefore moved, that the Words *four thousand* should be expunged, and *two thousand* inserted in their Room.

The Resolution was amended accordingly, but so amended was disagreed to by the House, the making the *Bandon* Navigable being deemed a new Work.

Another Resolution of the Committee of Supplies, reported this Day to the House ;

“ That it is the Opinion of this Committee, that 1000*l.* be granted for finishing the Cathedral and parochial Church of *St Patrick's Rock*, and *St John the Baptist, Cashell.*”

Sir *W— O—* said, that though he had moved for *Cashel*, and 1000*l.* had been granted in the Committee, yet he had no Power to compound for a less Sum, as he was not even a free Man of the City, nor had a Foot of Land near it that could receive any Profit from

from encouraging the Protestant Religion, by keeping up the Metropolitan Church of the Diocese, and preserving the Decency of religious Worship, without which it would necessarily fall into Contempt. He had spoken fully to the Subject in the Committee, and, therefore, should now leave it entirely to the House, without giving it any farther Trouble.

The Resolution was disagreed to by the House.

Another Resolution :

“ That it is the Opinion of the Committee, that 4,000 *l.* be given towards making the River *Barrow* navigable from *St Mulsins*, to *Monasterevan*, in *Kildare*.”

The R—t H—ble *W— B—* said, that, as he could not but commend the Spirit of Oeconomy that prevailed in the House, he would, notwithstanding the Extensiveness of the Navigation proposed, and the Populousness of the Country through which it was to be carried, be content with 1,500 *l.* instead of 4,000 *l.*

The Alteration being made accordingly, the House agreed to the Resolution.

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Another Resolution :

“ That it is the Opinion of the Committee that 4,000 *l.* be given towards making the River *Nore* navigable, from *Kilkenny* to *Inisfeague*.”

Mr R— M— said, that he would be contented with 1500 *l.* for this Purpose, as it was a new Work.

The Alteration being made, the House agreed to the Resolution.

Another Resolution :

“ That it is the Opinion of this Committee, that 4,000 *l.* be granted for clearing and improving the Channel of *Cork* Harbour, from the Custom-House Key, to the Black Rock.”

Mr J— H— H—, the P. S. said, that, in the Absence of a noble Lord, he was commissioned to consent that the Sum of 4000 *l.* asked for *Cork* Harbour, should be reduced to 1500 *l.* and that, as it was of great Importance to a Town so considerable for Trade, he hoped that Sum would not be thought unreasonable.

Major St J— J— said, he had no Objection to the Sum, nor any Doubt of the Utility of the Work, supposing it to be effected, but that he doubted whether it was practicable, being of Opinion that what had been done already had only rendered the Harbour worse. He observed, that two navigable Rivers run into the Slough, on each Side of the Harbour, and that the Persons who undertook the Work, had totally neglected the Advantage offered them by these Rivers, and had cut a new Canal in the Middle of the Slough, which totally obstructed the Navigation, it being impossible for any Ship to go up where Ships had been used to go up before. I saw myself, said he, very lately, two Vessels attempt it, which struck in the Passage, and received considerable Damage. He did not, however, doubt the Integrity of the Gentleman, who had been entrusted with the Money, but was of Opinion that the Person employed as Engineer had mistaken the Method of laying it out.

Mr H— S— replied, that he was persuaded, from a thorough Knowledge of the Work, that it would be impossible to carry it
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to Perfection by any other Way than that, which, after long Deliberation, had been contrived ; that the sinking the Channels of the River had been attempted without Success, for both of them being serpentine, and shallow, there was not Water sufficient to carry off the Sludge, which always gathered in the Bends, and filled up the Channel ; that they were now endeavouring to sink the Channel, in a strait Line, between the Rivers, and to draw the Water of both into it, the united Force of which, it was hoped, would be sufficient to clear away all Obstructions. He added, that, in Works of this Kind, no Advantage could be expected till the whole was compleated.

The Resolution was then amended, by inserting 1500*l.* instead of 4000*l.* and agreed to.

Another Resolution :

“ That it is the Opinion of the Committee, that 1000*l.* be given to re-build the Church of St *John, Dublin.*”

Mr *J— G—*, the R— of *D—*, then said, that the Church was in *Fish-shamble Street*, near the Center of the City, and in so ruinous

nous a Condition, that it was in Danger of falling, and instead of being a proper Place for the Worship of God, was a Nuisance; that the Parish was very poor, and, therefore, he hoped this Grant would be confirmed,

Mr T— Le-H—.

The Inhabitants, Sir, of this Parish, are very poor, and, whoever doubts it, may have the fullest Conviction of its Truth, by only walking through *Smock Alley*, and *Copper-Alley*. They are, indeed, almost all Protestants, but I cannot say that they “adorn the “Doctrines” they profess; they are not the most virtuous People in the World; they are not the “*whole* who need not a Physician, but the *sick* ;” and, therefore, it is more necessary they should have a decent Place of Worship, where their Duty will not only be taught, but enforced. Popery, Sir, is a very good Religion for bad Livers, it enables them to ballance Accounts by Confession and Penance, and procures a comfortable Discharge of their Debts in the Absolution of the Priest. These People, therefore, will, at least, be inclined to wish that Popery was true, and their Roman Catholic Neighbours will have a very good

good Opportunity to insinuate, that the Government itself does not believe the Religion it has established by Law, or, at least, is altogether negligent about it. “ You may see, “ Sir, say they, what Faith the Protestants “ themselves have in their Religion, by the “ Care they take about it. Why your very “ Church is ready to fall about your Ears ; “ come along with us, we have an Attention “ to God and to our Religion ; we believe it “ will, indeed, avail us to Salvation ; we have “ a good Mass-House to receive you, where “ Religious Worship is performed with a De- “ cency and Solemnity that shew we are in earnest about it.” If weak Minds, Sir, were to be influenced by such Arguments, could any Man of better Understanding wonder ? and can we expose our fellow-Subjects to such Danger, rather than spare a Sum necessary to save them from it, by repairing their Church ?

The Resolution was then amended, by inserting the Words *on Account of the Inability of the Inhabitants* ; and agreed to by the House.

Another Resolution :

“ That it is the Opinion of this Committee, that 12,000 *l.* be given for promoting
“ *English*

“ *English* Protestant Schools in this Kingdom.”

This Resolution caused a short Debate ; those that opposed the Grant did not deny the Utility of the Institution to which it was made, but strongly urged the Inability of the Nation to spare so large a Sum.

Those that supported the Grant, urged that such a Saving should be made, in other Articles as would enable the House to grant this, without Diminution, for the following Reasons :

That the Encouragement of this Institution had been recommended by his Majesty, as an Object worthy the greatest Attention, in the very Speech in which he also recommends such an Oeconomy as might provide for the Payment of the National Debt.

That nothing could be of so great Importance as the general Diffusion of rational Religion, and the forming Habits of Virtue and Industry in that Part of the rising Generation that would otherwise be vicious and idle.

That the present Situation of Affairs in *Ireland* made an Attention to these Objects particularly necessary.

That very considerable Benefactions to the Charity were made from *England*, as well by his Majesty's Bounty, as private Donations; that, on this Account, it was expedient to keep up a just Idea of its Utility.

And that, refusing or stinting Parliamentary Aid, might raise Doubts concerning its real Tendency, and the Integrity of its Managers, and, consequently, might check the Contributions which had hitherto been so liberally made.

A Motion was then made, and the Question put, that the Resolution be amended by expunging the Words *twelve Thousand*, and inserting the Words *eight Thousand* in their Stead.

It passed in the Negative by a great Majority. (*See the Speech of R—F—, in the Debates of Day IV. p. 60.*)

A Resolution to grant 7762 *l.* 16 *s.* 3 *d.* for
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the *Bally Castle* Colliery, was amended by reducing the Grant to 3000 *l.*

This produced some Debate, but the Topics having been totally exhausted before, it could not be inserted without unnecessary and disgusting Repetitions *.

A Resolution to grant 2000 *l.* to the *Dublin* Society for encouraging Agriculture, Arts, and Manufactures, by Premiums, was agreed to.

Another Resolution :

“ That it is the Opinion of this Committee that a Sum of 8000 *l.* be granted to the *Dublin* Society for the encouraging such Trades and Manufactures, in such Manner, and under such Regulations, as shall be directed by Parliament.”

Mr *R— F—* moved, that the House should agree to this Resolution ; upon which Mr *P— T—*, the A. G. spoke to the following Effect :

* See the Debate on this Subject on the XXth Day.

Mr P—T—, the A. G.

I cannot help thinking, Sir, that 8000 *l.* is too large a Sum to be appropriated to we know not what. No Plan, or Scheme, has yet been laid before us for the Distribution of this Sum so as to answer adequate Purposes; it is said, in general, that the Money is to be distributed for Encouraging such Undertakings, and in such a Manner as we shall direct; but I think it will be extremely difficult to ascertain the Quantity and Quality of Goods brought to Market, which shall entitle the Owners, or Manufacturers, to Part of this Sum, as a Premium; nor do I see how the Sum, now moved for, differs from the Sum of 2000 *l.* just granted to the Society, as an Aid to their Premiums. If, instead of that 2000 *l.* we grant 4000 *l.* and disagree to this Resolution, I think we shall have done our Part towards promoting the Views of the Society. I know it will be said, that the 8000 *l.* now solicited is to be in lieu of the Sums that we have been used to grant to particular Manufacturers, but how particular Manufacturers, to whom we might otherwise have granted Premiums, will be benefited by this 8000 *l.* I cannot discover.

Dr. L——.

I am very sorry, Sir, that the learned and public-spirited Gentleman, who proposed this Grant *, is not here to enforce and support it, by shewing, with that Energy and Perspicuity which always distinguish him, the useful Purposes it will answer. But, for my own Part, Sir, I cannot think that the Appropriation of a certain Sum to the Encouragement of Arts and Manufactures, in such a Manner as the Parliament, when the Matter comes under Consideration shall see fit, can reasonably be opposed, because we have not come to a Determination on what, and in what Manner to bestow it already. Will any Gentleman say that Trade, Agriculture, and Manufactures, are not to be encouraged at all? If they are to be encouraged, we must either grant Aids to particular Persons, or we must grant Premiums for such as shall appear to excel: Now, Sir, it has, and, I think, with great Judgment, been determined, by the House, that Aids should not be granted to particular Persons, who have too often applied the Money

* See the Speech of Mr E—S—P—, in the Debates of the twenty-first Day.

to Purposes very different from those for which it was granted ; and, therefore, if Arts and Manufactures are to be encouraged at all, it must be by Premiums to those who excel ; this will excite a general Emulation, and will be an Advantage to those only who have done what Aids to particular Persons were granted to do. The honourable Gentleman has thought fit to say, that he cannot discover how the Sum that is now proposed to be granted in lieu of Aids, can benefit the particular Persons to whom such Aids would have been granted, if their Petitions had not been rejected ; and, I hope, he will excuse me if I say it is of no Consequence whether he discovers it or not, or whether what he cannot discover is or is not a Fact. Our Money, Sir, is granted in a National View, not as a Benefit to particular Persons, but to the Public. It is given to encourage Arts, and it is of no Consequence who fulfills the Condition, provided we see the Condition fulfilled before we give it. The Faith of the House is, in my Opinion, pledged not to Individuals, but to the Nation ; and when we refused to grant Aids to particular Persons, and agreed to grant Premiums in their stead, we did not engage that the same Person should be benefitted by the
Premi-

Premium, that would have been benefitted by the Aid ; and the Alteration in our Mode of granting Encouragement to Arts, proves, that we did not intend he should, except he deserved it, and, if he deserves it, he necessarily will be benefitted, because he that deserves a Premium will receive it. If it is necessary, therefore, to encourage the Arts by parliamentary Assistance, and if, after our late Resolution, it can be done only by Premiums, I think 8000 *l.* as little as we can appropriate to that important Purpose. I am sure, when we thought the Arts encouraged by Aids to particular Persons, we gave much larger Sums, and why we should give less, when the Money cannot be misapplied, than we did when it was liable to Misapplication, I, in my turn, cannot discover. Give me leave now, Sir, to remark, as not altogether improper, in a Reply to that honourable Gentleman, that the *Dublin* Society deserves the particular Attention of this House, and that there ought to be a certain Confidence placed in it, with respect to the Disposal of Money, because the *Dublin* Society, Sir, has the Honour to be a Pensioner to his Majesty ; and though it should be supposed to have no Merit, yet its being a Pensioner should alone, according to

some Principles that have been lately advanced, render it an Object of the Attention and Support of this House.

The A— G— replied, that as the Grant of Money, by Way of Premium, was understood to be the Intention of the House, when the Petitions of Manufacturers were rejected, and as the Faith of the House was supposed to be plighted, he would not object to the Sum.

The Question being then put, the Resolution was agreed to by the House, without Amendment.

The House agreed to the Resolution for granting 1000 *l.* to *St Patrick's Hospital*, to maintain a greater Number of Patients. (*See Sir R— D—'s Speech, in the 22d Day.*)

A Resolution to grant 1600 *l.* for widening the Key of *Londonderry*, was disagreed to by the House.

The Resolution to grant Mess. *Nesbitts* 1500 *l.* to extend and improve the Whale-Fishery, and manufacture the Bones and Blubber, being read, it was objected to, and a Motion

tion made to expunge the Word *five Hundred*; upon which Mr W— B— spoke to the following Effect:

Mr W— B—.

I am very sorry, Sir, to hear an Objection made to this Grant for the Encouragement of a Fishery, and Manufacture, which are of very great Importance to the Public. In the first Place, Sir, the Oil, and Bone, of the Whales taken on this Coast, are superior in Quality to the Oil and Bone of those taken in the Seas of *Greenland*; and there are few Things more necessary, or of more general Consumption, than the Product of the Whale Fishery in general; the Oil is used for the dressing of Leather, and Wool, as well as for public Lamps, and many other Purposes, which it would be endless to enumerate; the Uses of the Bone also are very numerous, and an excellent Glue is made of the Blubber, after the Oil has been extracted. It appears by the Custom-House Books, that in the Year 1761, there were no less than 99,980 Gallons of Whale or Train Oil, imported at *Dublin* from *Holland*; this Import which proves the Consumption of the Commodity

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to be very considerable, is a great National Loss; and *England* is also a great Loser by Importing the same Commodity from the same Ports; *England*, indeed, is so sensible of this, that she has given greater Encouragement to the Whale-Fishery than to any other Branch of Commerce: Every Ship that is fitted out from *England*, for the *Greenland* Fishery, and makes the Voyage, is at her Return intitled to a Premium of 40 s. a Tun, whether she brings home any Whale or not, and, in Time of War? the Crews of all the *Greenland* Ships have a Protection, which secures them from being pressed into the Government's Service; and, shall we, who are equally interested in this Trade, be supine and negligent Spectators of the Efforts of a private Company, to establish it on our own Coasts, and not assist them with so small a Sum as 1500 l? But the Fishery is not the only Object; when a Whale has been caught upon our Coasts we have been obliged to send the Bone and Blubber to *Liverpool*, and *London*, to be manufactured; which is always attended with great Expence, and Inconvenience, especially as the *English*, who consider us as their Rivals in this Fishery, charge us very high; but if we

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encourage the Undertaking in Question, we shall be able to manufacture the Bone and Blubber ourselves, and, perhaps, to furnish *England* herself with those Commodities, which will be a considerable Benefit to her, as well as to us ; for it would be taking just so much Trade from her Rival the *Dutch*, and furnishing her with the same Commodities at a cheaper Rate, as Labour is cheaper with us, and we shall have a less Distance to carry the Commodity, as well from the Place where it is caught, to that where it is manufactured, as from the Place where it is manufactured to Market ; as a Friend, therefore, to both Kingdoms, for he that does not consider their Interests as inseperable, is a Friend to neither, I must strongly recommend the Confirmation of this Grant without Diminution.

The Question being then put, whether the Resolution should be amended by expunging the Word *five hundred*, it passed in the Affirmative, and the Resoluion was agreed to by the House.

The House resolved, that the Supply granted to his Majesty should be a Sum not
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exceeding 1,168,167 l. 2 s. 6 d. (*See the Motion for a Supply, page 66.*)

The Resolutions of the Committee of Supplies, having been all reported and considered, and very great Deductions having been made from several Grants, not particularly mentioned above, for which Deduction the A. G. was always an Advocate, Dr C— L— got up, and spoke to the following Effect :

Dr C— L—.

I cannot but highly commend that vigilant Attention to the public Treasure, and that Spirit of public Oeconomy, which have so eminently distinguished the Gentleman on the Floor over against me this Day ; neither can I help expressing my Concern and Surprise that he should stop short. He has been very zealous to prevent the laying out public Money, in the Improvement of the Country, but he has very quietly acquiesced in its being squandered away in Pensions to Foreigners ; nay he has not been less eloquent as an Advocate for this Expence than as an Adversary to the other ; as I had no reason to expect so uncommon an Inconsistency of Conduct, I did not think it would have
fallen

fallen to my share, to move, as I now do, That 25,000 *l.* be struck off the List of Pensions: I flatter myself, that every Gentleman present will chearfully concur in this Motion, at least every Gentleman who has distinguished himself in favour of Oeconomy, and that, as it is evident the Nation will be a Gainer, it is not necessary to enquire who will be Losers; except three or four, I believe they are all equally undeserving, and, if the whole Reduction was to fall upon the Pensioners of this House, there would be no Reason to regret it, for it would certainly be better for the Constitution, if no Man in it had either Pension, or Place. I should, indeed, be sorry to have it thought necessary, upon this Occasion, to enquire who the Pensioners are, because, I believe it would puzzle the most knowing Man in the Kingdom to tell us; the very finding them out, to remit them their Money is attended with Difficulty and Trouble, and I cannot help considering many of them as not having so much as a Name. Many are Aliens, and the granting Pensions to Aliens is what I never can be reconciled to. There is a great Prince to whom a Present was made of 20,000 *l.* because he could not be a Pensioner upon *England,*

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land, by the Laws of the Country ; for this
Prince, Sir, I have a very great Regard, yet
I cannot conceive why, it being unlawful for
him to receive a Pension out of one Part of
the King's Dominions, it should be thought
expedient for him to receive a Pension out
of another.

Mr P— T—, the A. G. said, in reply, that
he thought it very extraordinary to be called
upon in this Manner, and that he wondered
the honourable Member should suppose, or
pretend to suppose, that he intended to make a
Motion of this Kind, when he had constantly
and uniformly declared, that the King's Es-
tablishment ought to be supported out of the
Crown Revenues, and after a very large Ma-
jority had declared in favour of it.

The R—t H—ble Mr A— M—, who
had been Chairman of the Committee of
Supplies, said, that he believed it would have
been contrary to Rule, to have made such
a Motion in that Committee, as it would
have been foreign to the Business, for which
it was appointed.

Mr H— T— said, that however averse he
might

might be to Pensions, both with Respect to their Illegality, and the improper Application of them, he could not think this a fit Question, and, therefore, hoped the honourable Gentleman would withdraw it, especially as it was intended to move for an Address to his Majesty, on the Subject; though he could not help saying, he wished his Majesty's Speech had been observed with Respect to Oeconomy, as well in one Particular as another.

Mr *T—Le-H—* spoke to Order, and mentioned the Impropriety of the Question, though, he said, no Man could be more an Enemy to Pensions than himself.

Upon this, Dr *L—* withdrew his Motion.

Resolved, that to-morrow Morning, the House will resolve itself into a Committee, to consider of Ways and Means to raise the Supply.

W E D-

WEDNESDAY, Nov. 23, 1763.

TWENTY-FOURTH DAY.

THE House attended his Excellency the Lord Lieutenant with the Address of Thanks to his Majesty, which his Excellency promised to transmit forthwith, and then being resolved into a Committee of Ways and Means, Mr E— S— P— spoke as follows :

Mr E— S— P—.

As nothing can conduce to the Improvement and Advantage of this Kingdom in particular, and to the Strength and Support of his Majesty's Dominions in general, more than the Encouragement of our home Manufactures, I shall propose something, which, I hope, will have that good Effect. The hereditary Duty on Strong Beer, and Ale, in this Kingdom, is two Shillings and Six-pence a Barrel, each Barrel containing two and thirty Gallons; and the additional Duty is two Shillings, so that the whole Duty on

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two and thirty Gallons is four Shillings and Six-pence. But it is well known, that there is a Species of Strong-Beer, called Porter, which we import from *England*, that pays no more Duty than one Shilling for every two and thirty Gallons ; now it is clear, that in Proportion as the Importation of Porter encreases, the Consumption of our home made Beer and Ale must decrease, and that for every Barrel of Porter that is drunk here, instead of a Barrel of home made Liquor, the Revenue suffers a loss of three Shillings and Six-pence. It is well known that the Importation of Porter is increasing every Day, and that, consequently, the Revenue, in this Article, is every Day diminishing. Now, Sir, if a Tax should be laid upon Porter, equivalent to the Tax on home made Beer, and Ale, it would prevent the Decrease of the Revenue, but, as Porter would probably be still imported, it would still lessen the Consumption of our Home-brewed, and thus affect many Branches of Trade that depend upon the Brewery ; and, if a Tax should be laid upon Porter, so heavy as should amount to a Prohibition, we should, in a great Measure, be deprived of a wholesome and pleasant Liquor, which, by many People, is preferred,

even to Wine. What I propose, therefore, is, that we should improve the present prevailing Inclination for Porter to our own Advantage, by giving such an Encouragement, to the making of it here, as will, at length, preclude the Importation of it from *England*, by carrying this Branch of Business to the same Perfection among us, as it is arrived at on the other Side of the Water, and, consequently, improve not only many Manufactures, but Agriculture itself, and ultimately, encrease the Revenue; for this Purpose, I would recommend a Resolution to this Committee, that all Porter, brewed in this Kingdom, shall be Duty free.

Mr P— T—, the A. G.

There is I believe no Person in this House more sensible of the Advantages that arise from the Encouragement of Manufactures, and Agriculture, than myself, nor more sincerely desirous of procuring them, but I think more Evil will follow from the Resolution proposed than Good. I must also consider the Support of the Crown, and the Advantage of this Country as essentially united, and, though the Resolution may tend to favour

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Agriculture, and the Manufactures which depend on the Brewery, it must certainly, at least for a considerable Time, greatly diminish the Revenue. The honourable Gentleman has observed, that it may ultimately encrease it, but this is at best a remote Contingency, and the Disadvantage is immediate, and certain; if we encourage the Brewing of Porter here, by making it Duty-free, we shall certainly lessen the Consumption of other Beer, and Ale, which pays 4 s. 6 d. for every two and thirty Gallons, much more than it is lessened by the Importation of Porter from *England*, and we shall, besides, lose the Shilling a Barrel which is paid for that Liquor; this will be the Case in a great Measure, suppose *Irish* Porter should not be so good as *English*; but, supposing the honourable Gentleman's Project should perfectly succeed, and we should brew as good Porter as our Neighbours, the Difference to the Revenue will be immense, for, as he justly observes, the Taste for Porter, in Preference to other Malt Liquor, is getting Ground every Day, with the united Assistance of Appetite and Fashion, and we know very well, that Fashion alone has produced a factitious Appetite for many Things, extremely disagree-

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able to untutored Nature, and, consequently,
produced a very great Consumption of such
Articles. But I apprehend, Sir, that, if the
Resolution proposed was eligible, in other Re-
spects, it would prepare the Way for great
Frauds and Abuse, and be productive of end-
less Litigation and Disputes, between the
Brewers, and the Officers of the Revenue.
The Revenue Officers would certainly find it
extremely difficult to distinguish what Beer
should be called Porter, and what should
come under another Denomination; I dare
say there are many Parts of this Kingdom,
where there is not a single Person that could
make the Distinction, and that there are great
Numbers in this City, who would experience
the same Inability; the Brewers and Publi-
cans would certainly take Advantage of this;
for, I am sorry to say, that Persons, otherwise
honest in their Principles and Dealings, make
no Scruple of defrauding the Crown, not
considering, that the Supplies granted to the
Crown, are to be laid out for the common
Benefit, and that the Fair Trader must always
make good the Deficiencies that arise from
the illicit Practices of others; this, however,
being the Case, I dare say, that, if the Reso-
lution proposed should be agreed to, there
would

would not, in a short Time, be a Brewer or Publican in the Kingdom, that would make or sell Malt Liquor of any other Denomination than Small Beer, and Porter. It is, therefore, easy to see that one of the most considerable Branches of the Revenue would be in a manner cut off, with all the complicated Mischiefs of Fraud, Litigation, and Perjury. I should, therefore, be glad if some less exceptionable and more effectual Method could be found for effecting the good Purposes, which I am sure were intended by the honourable Gentleman, who recommended the Resolution, for whose Integrity, and Public Spirit I have the highest Regard.

Mr J— H— H—, the P. S.

Though nobody can be more unwilling to tamper with the King's Revenues, in so essential a Point as the Excise upon Beer than myself, yet, I must confess, I am strongly inclined to the Motion proposed by my honourable Friend, from a full Conviction of its Utility and Importance, as well with Respect to a considerable Article of internal Trade, as to the Revenue of the Crown. If the Exemption of Porter from Duty was to be

perpetual, it would, indeed, greatly lessen the Revenue arising from the Duty on other Malt Liquor; but if this Exemption is continued only till Porter of our own Manufacture is brought to such Perfection as to supercede that which is now imported, and increase the Consumption of Malt Liquor in general, it will certainly enhance the Revenue; and the Advantages procured to the Public, by favouring Agriculture, and the Sale of a home made Commodity, are too manifest to be controverted. If Porter brewed here should be exempted from Duty two Years, I do not see how any bad Consequences can ensue; and, if it is not exempted from Duty, I do not see how we can ever hope to make it here. Who will buy home made Porter, when they can import it from *England* at 3 s. 6 d. less Duty *per* Barrel? And who will undertake to brew it here when there is so little chance of a Market? The brewing of Porter here, will, at all Events, be attended with many Difficulties, and Disadvantages; this Liquor is not fit to drink in less than a Year after it is brewed, and, as the Brewing Trade is here divided among a great Number of Hands, there are few who can afford to be so long out of their Money, and still fewer who

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can afford to buy a sufficient Number of Casks to keep a competent Stock of it so long in Hand ; the brewing of this Liquor is also a Secret, so that of the few who could afford to make the Experiment, there is, perhaps, but one who knows how it is be made : And yet, if Porter is not made here, nothing can be more certain, than that, instead of drinking a Malt Liquor that pays a Duty of 4 s. 6 d. a Barrel, we shall drink that which pays but a Shilling, and, instead of increasing a useful Manufacture, and improving Agriculture, we shall give a Check to both, and reduce the Price of Land, and deprive Industry of Employment. But if the Manufacture is once established, by means of the Encouragement which it receives from a temporary Exemption from Duty, it may pay the same Tax as other Beer, so that the Revenue will gain 3 s. 6 d. by every Barrel of Porter that is drank, the Consumption of Malt Liquor will encrease, a useful Manufacture, and Agriculture will be promoted, Lands will rise in their Value, and many that would otherwise be idle will be employed ; but, admitting this to be eligible, we are told that it is impracticable, because the Difference between Porter and other Beer can never be ascertained. I

think, however, that the Difference between Porter and other Beer, is greater than between Small-Beer and Strong; and that it cannot be more difficult to distinguish between Porter, and other Malt Liquor here, than in *England*. Now, between small Beer and Strong we do distinguish, and the Business goes on between the Brewer, and the Exciseman, without either Fraud, Perjury, or Litigation. The Brewer tells the Exciseman how much Small and Strong Beer he intends to make, and the Exciseman proceeds to gauge the Quantities, to see that the Brewer has made them in Proportions corresponding to his Declaration. And, in *England*, the same Thing is done with Respect to Porter, and other Beer; for Porter is there liable to some Duties, from which other Beer is exempt. If, therefore, we distinguish between Small Beer and Strong, and if, in *England*, they distinguish between Porter, and other Malt Liquor, why should it be thought impossible for us to make the Distinction here? I will, indeed, confess, that it is impossible totally to prevent Fraud, but I will venture to affirm, that it is also impossible for the Brewers to avail themselves of a Pretence, that they brew nothing but Porter and Small Beer :

an Inspection would immediately detect them, and the proper Duty would be paid. I shall only add, that, if it should be thought advisable to restrain the Resolution to Porter brewed in this City, I believe the Restriction would not be objected to by the Gentleman who proposed the Motion.

Dr C— L— said, that of all fermented Liquors he esteemed Porter to be the most wholesome ; it was also, he said, in his Opinion, extremely pleasant : As it could not be drank till it had been kept a Year, he said the Principles that might have caused a new Fermentation were evaporated : He observed also, that the Notion that good Porter could be made only of *Thames* Water was exploded, and that as good Porter might be made in *Dublin* as in *London*. He thought, he said, that we should take every Opportunity to improve our own Manufactures, but that, as the learned Gentleman on the opposite Bench had shewn the Utility of the Measure in Question, by Arguments, to which nothing could be added, he should only declare, that he would most certainly give his Vote for it.

Mr J— *Fitz-G—* observed, in favour
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of the Resolution, that it was scarcely in the Power of the Brewer to defraud the Crown, if the Gauger did his Duty, and that the Brewer only would suffer in Case of a Litigation, because the Brewer must always be taxed, according to the Species that the Gauger returned. He knew a Case, he said, in which the Brewer had litigated the Gauger's Return, and though he produced the strongest Proofs that the Return was fallacious, yet he was obliged to pay the Duty, so that the Crown could run no Risque, with Respect to its Revenue, from the Experiment by which it might ultimately be a great Gainer, as well as the Nation, and that, therefore, he should give his Vote for its being tried.

The R—t H—ble B— B—, a C—.

As I have had the Honour of serving his Majesty at the Commissioners Board many Years, I think it a Duty incumbent upon me to give my Opinion, with Respect to a Measure that must essentially affect a very considerable Part of the Revenue; and, I must take the Liberty to say, that, if such a Resolution, as is now proposed, should pass into a Law, very little can be expected from the Excise on Beer. It has been said that strong
Beer

Beer, and small Beer, are distinguished without Difficulty, and that it will be still more easy to distinguish Porter, from Beer of a different Denomination, but I cannot concur in either of these Opinions. There are, at this very Time, many Litigations depending between the Brewers and Gaugers, with Respect to strong Beer and small, as subject to different Duties, and if a third Species should be introduced, subject to no Duty at all, the Perplexity and Mischief will be greatly increased. I have myself been very often puzzled when small Beer and Ale have been brought to the Board, to distinguish between them ; and as it is universally agreed, that Porter is not fit to drink till it is a Year old, and, consequently, seldom tasted till then, it will be almost impossible to distinguish it when it is in a State of Wort, or when first put up, in which State it must be examined by the Officer, from other Liquors, and the Temptation to brew a Liquor subject to no Duty will be so great, that although but one Person in this Kingdom is supposed to know the Secret, yet every Brewer will pretend to it, and a spurious and unwholesome Liquor will be obtruded upon the Public, bittered with Aloes and Coloquintida, to the equal Injury of the King's Revenue,

nue, and the Health of the People. For these Reasons, and because I know that every Complication in the Excise, and every Variation in collecting the Duty is a great Hardship, as well to the Trader as the Officer, and opens a wide Door to Fraud and Perjury, I shall be against the Resolution, except I should see Reason to alter my Opinion, from what may hereafter be said in its Behalf, by those who have made it the particular Object of their Attention. At present I think the Resolution would be precipitate and premature, as no Materials have been produced to the House from which a Judgment may be formed : I should therefore advise to defer the Matter till the next Sessions ; however, as I believe Mr *Thwaites*, in whose Behalf the Motion is principally made, to be a very worthy honest Man, and to have the Secret of making genuine Porter, I shall be very ready to give him any Encouragement in my Power ; and, if the Law proposed is extended only to him, I shall not be against it.

Mr *J— G—*, the S. G.

I am extremely surprized that any Gentleman could imagine it possible for us to adopt
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in a Moment's Time, a Proposition so extraordinary, or consent to try an Experiment which may so essentially injure one of the most considerable Branches of the Revenue, without having a single Material laid before us, from which a Judgment might be formed. The Measure seems, indeed, to have been calculated entirely for the Benefit of a private Person, one Mr *Thwaites*, whatever may have been said about its public Utility. Mr *Thwaites*, however, is universally allowed to be the sole Possessor of a Secret, which, without so extraordinary a Measure, will probably produce him very great pecuniary Advantages. If he can make as good Porter as is imported from *England*, I apprehend he will have the Preference, for, though Porter imported from *England*, pays 3 s. and 6 d. a Barrel less Duty than Porter brewed here will be liable to pay, yet, it cannot be supposed to come cheaper to the Consumer, as Freight and incidental Charges must be at least equivalent to that Sum, supposing the Prime Cost in *England* to be as low as it might be sold for here, exclusive of the Duty, which, considering the different Price of Labour and Provisions, I think cannot be the Case. How Mr *Thwaites* came to be such a Favourite I cannot conceive, much less
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can I conceive how it could enter into any Person's Head to propose the making a Law of which he alone is to be the Object ; but, as I am fully convinced that it would be highly improper to make the Experiment proposed, whether with Respect to Mr *Thwaites*, or the City of *Dublin*, or the Kingdom in general, without having much better Information than any now before us, I shall give my Voice against it.

A Member then said, that, as Gentlemen seemed to be against a general Exemption of Porter from Duty, he proposed an Amendment to the Resolution, that the Porter brewed in *Dublin* only should be exempted.

The Question being put for the Amendment, it passed in the Negative.

The Question being then put on the first Motion for a general Exemption, it passed also in the Negative.

In the Sequel of the Proceedings, in the Committee of Ways and Means, the A. G. who proposed the Taxes, remarked, that there had been some Dispute with Respect to
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the Claim of the Vice-Treasurers, of Fees, upon 200,000 *l.*, raised by a Vote of Credit, which Claim seemed to have been allowed, by the Inattention of a former Sessions; he therefore proposed that the Vice-Treasurers should be allowed their usual and uncontroverted Fees, but that all Fees called Poundage, Pells, &c. upon any Aids granted this Sessions, should be applied as a farther Aid to Government.

The Question being put, it passed in the Affirmative.

It was remarked, that Six-pence a Ton Duty on the Exportation of Soap-Boiler's Waste, made Use of as Manure, which was laid on with a Design of its operating as a total Prohibition, had not answered the End; and it was therefore proposed, that an additional Duty of two Shillings a Ton more should be laid on.

The Question being put, it passed in the Affirmative.

The A—G— said, that the Importation of foreign Silks, particularly those of *France*,
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was not only a Discouragement of our own Manufactures, but also of the Manufactures of *Great Britain*; and that when the Duty of 40 s. a Pound Weight was laid on those Commodities, he was persuaded it was intended as a Prohibition, but not having that Effect, he proposed that the Importation of foreign Silks should be expressly prohibited.

Mr *E—S—P—* agreed that the Importation of foreign Silks was a National Disadvantage, but thought it more eligible to lay such an additional Duty upon them as would make it worth no Man's while to import them, than to prohibit the Importation expressly, which, he said, might give Offence to the Nations whence they were bought, and induce them to prohibit the Importation of our Commodities; he therefore proposed an additional Duty of 4 *l.* on every Pound Weight of all forreign Silks, except *British* and *China*, *Persia*, and the *East-Indies*.

The Question being put, it passed in the Affirmative.

Mr *E—S—P—* proposed, for the Benefit of the Paper Manufactory, that an additional

tional Duty should be laid on the Exportation of Rags, and that the Duty on the Importation should be taken off.

The R—t H—ble Mr A— M—, the Chairman of the Committee, replied, that to the laying an additional Duty on the Exportation, he had no Objection, but that the taking off the Duty on Importation could not properly be done in that Committee, which was appointed solely to consider of proper Ways and Means to raise the Supplies, and that taking off any Duty, already laid on, was an Act directly contrary to its Institution. He observed, that the Proposal for brewing Porter, Duty free, which had been lately debated, was not a parallel Case, for that Porter would have been considered, not as a Species of Beer taxed already, but a new Species, which might either be taxed or not, as should be thought most for the general Benefit.

In this Opinion of the Chairman the Committee concurred, and it was a Resolution, that an additional Duty should be laid upon the Exportation of Rags, but not that the Duty on Importation should be taken off.

Mr R— Fitz-G—.

I have now prepared a Resolution for this Committee with Respect to a Tax upon Dogs, for raising a Sum to be applied to the Improvement of the Inland Navigation of this Kingdom, and for farther preserving the Game: With these two Views I propose that the Tax should be such as will, in a certain Degree, lessen the Number of Dogs that are kept, and yet leave a Number sufficient to render the Duty productive of a useful Sum: I propose that 20 s. a Year be paid for one Hound, 40 s. for a Couple, and 5 l. for any greater Number; that 3 l. a Year be paid for a Pointer, or Pointers, Setter or Setters, Spaniel, or Spaniels; and 3 l. a Year also for a Grey-Hound, or Grey-Hounds, Lurcher, or Lurchers, and every other Species of Dogs used in the killing of Game; and that every House having more than one Cur, or Watch-Dog, shall pay 3 s. a Year for each Dog above that Number: And I propose that this Tax should be collected by the Collectors of the Hearth-Money.

Mr

Mr L—— O——.

I wish to see a Tax laid upon Dogs, for many Reasons, and for none more than to prevent the Danger arising to Mankind from that Species of Madness to which no domestic Animal, but a Dog, is subject. The Disease produced by the Bite of a mad Dog, is a Complication of Misery and Horror, altogether without Parallel; it is torture and Distraction, an Agony both of Body and Mind, and Death, with every possible Aggravation both of its Terrors and its Pain. And yet, desirable as a Tax upon Dogs may be, upon this, and many other Accounts, I think the Proposal now made, is attended with insuperable Difficulties, both with Respect to the Distinctions of the Species that are to be made liable to the Tax, and the Manner of collecting the Money. It is proposed that 3*l.* a Year shall be paid for a Spaniel, but that one Cur, or Watch-Dog, shall be allowed to every House, Duty free; but it frequently happens that the Dog kept as a Watch-Dog, is a Spaniel, or some other Species that might be used in the killing of Game; and what is to be done in that Case? Is the Sum of 3*l.* a Year

to be then paid for the Watch-Dog, because he happens to be good for something else? Or must the Master hang his faithful favourite Servant, and procure a Cur, that he may avoid being taxed at 3 *l.* a Year for not exposing his Life and his Property to Thieves, and Murderers, when he lies down to sleep, after the Labours of the Day? But, supposing that Curs only are kept for Watch-Dogs, it will be very oppressive to allow but one to a House, except the Owner pays 3 *s.* a Head for all above: There are many People who can ill afford to pay even the Hearth Money, a Tax to which they are subject already, whose Occupations make more than one Watch-Dog almost as necessary as their daily Bread, particularly Shepherds, Tanners, Bleachers, and many others that I need not name. It will also be extremely difficult to distinguish the several Species of Dogs to be named in the Act proposed; there is a greater Variety of Dogs than of any other Animals known by one common Name, and much less Difference between a Wolf and a Bear, than between a Pug-Dog, and a Grey-Hound. How many of these are to be included under the Denomination of Cur? And what is to be done about Lap-Dogs, which are various al-

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most without Limits? If it is said that these are kept only for Pleasure, and that none should be exempted from the Tax but those that are kept for Use, I must beg leave to observe, that Use is only the Means of which Pleasure is the End: If we desire to keep our Property, it is that we may use it, and we can use it well only in procuring Pleasure to ourselves or others. We seem to think that the same Law of Nature which restrains us from inflicting positive Pain, does not restrain us from diminishing positive Pleasure, yet nothing is more certain than that the Obligation to refrain from Evil includes both. It is a mortifying Consideration, that human Benevolence is still more limited than human Power. We frequently alleviate Misery, we feed the Hungry, and we cloath the Naked; but if we perceive that those who, on such Occasions, have been the Objects of our Bounty, indulge themselves in any positive Gratification, we seldom feel ourselves disposed to encrease it, but, on the contrary, regard it with a Kind of Grudging, and Ill-will. Our Benevolence chills when it ceases to be Pity, and we cannot bear to think that those who receive Charity should derive any Thing better from it than a mere Alleviation of Distress. The same

Leaven of Malignity leads us to overlook our Obligations, not to take away what we cannot give, and Superstition being ever ready to countenance the Depravity of our Nature, represents whatever is taken from the common Stock of Pleasure, as a Tribute to Providence, and encourages us with the Notion of doing our Duty in Proportion as we make that difficult, without which Life itself is of no Value. If it can be proved, that, by taking away from those, who, perhaps, can procure few other Pleasures, that of keeping a favourite Dog, a sensitive Being, to which their little Power can communicate Happiness, a Dependant that can express Obligations without Flattery, and associate with Distress without repining, if it can be proved that, by taking away this good, greater good can be procured, it is then right to take it away, but I believe the Advocate for a Tax upon Dogs would be greatly puzzled to apply the Money it would produce, so as to produce half the Pleasure, upon an Aggregate, that it will destroy. Besides, I have an insuperable Objection against the Manner in which this Tax is to be collected. The Collectors of the Hearth-Money are frequently obliged to distrain where there is an Inability to pay it; this is a cruel Necessity

cessity, and cannot fail to render them odious, though they are nothing more than the mere Instruments of the Law. The Tax itself is odious, and is always paid with Reluctance and Ill-will, and it would surely be imposing a very severe Service upon the Hearth-Money Collector, to compel him to search the Houses of the Poor, and peep into the Closets and under the Beds for a favourite Dog, whose Life they cannot afford to redeem. I should also be glad to know how he is to manage, when he finds a Litter of Puppies; if they are all to be drowned, without Mercy, what is to become of the Breed? If they are to be spared, must he remit the Tax, or must he levy it? As to Lurchers, I must confess I know not what Dogs they are. —

Upon Mr O—'s saying he did not know what a Lurcher was, the House grew merry, and he himself joined in the Laugh; at length Mr M—, the Chairman, said, that though it might be easy to turn the Subject of the Proposal into Ridicule, as there might appear something ludicrous in it, yet it was, in itself a serious Subject, and deserved very serious Attention. He said, he thought that the Inland Navigation being of great and National

Importance, some Means should be thought of to raise Money for its Improvement, and that he saw no Reason why the Proposal now made should not, at least, be reported to the House, as a Resolution of the Committee ; the Subject, he said, would then be more fully examined, and Objections might be stated, and, perhaps, removed, with Respect to the laying, as well as collecting the Tax.

Mr R— *Fitz-G—* concurred with the Chairman, and hoped the Resolution would pass the Committee, that the Subject might come under the Consideration of the House.

The Question being put, it was carried in the Affirmative.

After the S—r had resumed the Chair, Mr E— S— P— said, he begged leave to put Gentlemen in mind, that, some Time ago, he mentioned his having a Secret of the greatest Importance, and most extraordinary Nature, which he intended to communicate to the House. This Secret, he said, he intended to communicate the next Morning, and hoped Gentlemen would attend, to make a proper Resolution upon it, and also to consider of an Address to his Majesty, which he had to offer on the enormous Grievance of Pensions.

THURSDAY, Nov. 24, 1763.

TWENTY-FIFTH DAY.

Mr E— S— P—.

Mr S—,

I Think one of the greatest Disadvantages arising from the Grant of Pension, is the enriching Aliens, with the Treasure of our Country. I shall communicate a Fact to this House, from which it will appear, that the Grant of Pensions to Aliens is supposed to be contrary to the Sense of the Nation, even by the Advisers of such Grant, and therefore, not avowed, though made. There is a Pension, Sir, granted nominally to one *George Charles*, but really to *Monsieur De Verois*, the *Sardinian* Minister, for negotiating the Peace, that has just been concluded with the Minister of *France*. I must confess, Sir, that in my Opinion, this Service deserved no such Recompence, at least on our Part; so that, in this Case, our Money is not only granted to an Alien, but to an Alien who has no Merit to plead. If it is thought a defensible Measure, I should be glad

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glad to know why it was not avowed ; and
why, if it is proper, we should pay 1000 *l.*
a Year to Monsieur *Verois*, we should be
made to believe that we pay it to *George*
Charles. In short, Sir, as Pensions are in-
discriminately given for all Purposes, upon
all Occasions, and to all Persons, both for
Lives and for Years, I think it is a Duty in-
cumbent upon this House, to address his Ma-
jesty on the Occasion, and to represent to him
the real State of the Kingdom, which, there
is the greatest Reason to fear has not been
sufficiently done ; for his Majesty's paternal
Regard for his People is too well known, for
us to suppose he would permit any Measure
to take place, by which they were essentially
injured, if he was fully apprised of its Con-
sequences. I, therefore, move, " That an
humble Address be presented to his Majesty,
to assure his Majesty of our inviolable Attach-
ment to his Royal Person and Family ; that
we have the firmest Reliance on his Majesty's
Wisdom, Justice, and tender Regard for his
Subjects of this Kingdom ; but that we
should fail in our Duty to his Majesty, and
desert the Trust reposed in us, by those we
represent, should we longer defer laying be-
fore his Majesty, the real State of this King-
dom,

dom, which we have some Reason to fear may not yet have been fully presented to his Majesty's View. That we presume to do so from a firm Persuasion, that his Majesty will not believe that we are prompted to it by the Spirit of Faction, but impelled by the Necessities of the Kingdom; and that we have nothing in View but his Majesty's Honour, and the Prosperity of our Country. That during the late successful War we exerted our utmost Efforts for the Support of his Majesty's Government, and to raise such Supplies as his Majesty thought necessary for his Service, though it was with the greatest Difficulty we could even provide for Payment of the Interest of the Sum we were obliged to borrow for that Purpose. But at the same Time we could not, without the utmost Concern, observe, though we lamented it in Silence, the great and continual Increase of Pensions, and that a considerable Part of those Sums which were destined for Public Uses, was diverted to private Purposes. That this is one great Cause of the heavy Debt which oppresses this Kingdom, and which we can scarce ever hope to discharge, deprived as we are of those Resources from Trade, with which the other
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Parts of his Majesty's Dominions are blessed. That any considerable Addition to this Burthen must depopulate this Kingdom, already much exhausted of its Inhabitants. That we presume with all Humility to lay these our Circumstances before his Majesty, not doubting that they will excite in his Royal Breast those Sentiments which are so natural to his Princely Disposition."

Sir W— M—.

Mr S—,

So much has lately been said, Sir, about Pensions, and such dreadful Pictures have been drawn of the Evils, to which they expose us, that I set myself seriously to enquire whether they are so disproportionate to the ordinary Revenue, as they have been represented; and to estimate the real Weight of what has been represented, as a Mill-stone that will not only dash us to Pieces, but grind us to Powder. Now, Sir, upon looking into the State of Pensions for some Years back, I find that the Pensions on the Civil List, in the Year 1717, amounted to 32,000*l.* the *French* Pensions to about 12,000 *l.* and the Military Pensions to about 8,000 *l.* making together, the annual Sum of 52,000 *l.*

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The Pensions now granted, amount to 75,000 *l.* a Year, a Sum which exceeds that granted in Pensions six and forty Years ago, no more than 23,000 *l.* and I am confident that both the public and private Revenues of this Kingdom, have encreased in a much greater Proportion. But, supposing these Revenues not to be actually improved at all, the Proportion of the Pensions to the Revenue will appear to be at least the same that it was then, if we only consider the Difference in the Value of Money, for I think 52,000 *l.* a Year, six and forty Years ago, was equivalent to 75,000 *l.* a Year now. So that the Pannic which has been raised about Pensions, has, like all other Pannics, been founded upon something in the dark, something that derives a Power from Obscurity, which light would destroy, and we shall find that what is now represented as a Burthen that will crush us in a Moment, we have borne six and forty Years without Injury, and as it appears by the Speeches of those very Persons who suppose the Load to be now enormously encreased, even without knowing it; for, surely, if they had known we had sustained it so long already, they would not have thought it impossible for us to sustain it still. However,

ever, admitting the Sum granted in Pensions to be a Grievance, the Attention which his Majesty has been pleased to shew, in taking it into Consideration and the Part which the Lord Lieutenant has acted in the Representation of it, render the present Motion, in my Opinion, wholly unnecessary, as there is not the least Reason to doubt that his Majesty will continue to this Country the kind Disposition that he has shewn already, or that he will exclude us from that paternal Affection, which he has extended to all his Subjects ever since his Accession to the Throne.

Mr M—P—.

Mr S—,

As there have been already very long Debates on the Subject of Pensions, in which the Topics of Declamation seem to have been exhausted on both Sides, I shall now only consider the Propriety of the Address. As to the Form of it, I must confess, that it is drawn up with that Decency and Submission, which should always be preserved in Approaches to the Throne; and which, I think always have been preserved, even in those Addresses, which were intended to obtain Concessions injurious to the Prerogative, and,

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consequently, inconsistent with the Constitution; but as to the Spirit of it, I think it may fairly be pronounced to be the complaint of Faction and Discontent, the querulous Remonstrance of Distrust, and Ill-will; its Spirit and Tendency may be sufficiently known by the Party from which it comes, and the Measures that have preceded it; they moved, that a List of the Pensions, and Pensioners, might be printed for the Perusal of the Public; that an Enquiry should be made, whether the Grant of them was Legal; and for a particular Examination of the Character, Circumstances, and Situation of the Persons to whom they were paid, with an Intention to restrain his Majesty's Bounty in this Channel: This Address, Sir, is nothing more than a Succedaneum to those Enquiries which the House has rejected, as improper, and the House, therefore, cannot consistently consent to this Address. With what Propriety, Sir, can we Address against any Measure, as a Grievance, when we have not thought proper even to enquire, whether it is a Grievance or not? Should we not know that to be a Grievance, of which we complain as such? And how can we gain this Knowledge without an Enquiry? Besides
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it can never be our Interest to shew a Diffidence in the gracious Promises which his Majesty has made to this House, by a Letter from his principal Secretary of State, which ought to convince this House that his Majesty intended.—

Sir *W*— *O*— here called to Order, and addressing himself to the Chair, said,

Mr *S*—,

I must appeal to you, and this House, whether we are now addressed in proper, and parliamentary Language—The Name of Majesty should never be used in this Place to influence either the Passions, or the Judgment, much less should any Arguments be drawn from a Letter, written by a Secretary of State to a Lord Lieutenant, which has never been properly communicated to us, and of which, in our public Capacity, we ought not to be supposed to know, even the Existence; I must, now I am up, take the Liberty to say that the Name of Majesty has been too much used of late to screen the Ministers, and that this Practice must always restrain that Freedom of Debate, which is essentially necessary to support the Freedom of the Constitution. If a Man does but open his Mouth to com-

plain of improper Conduct in a Minister, he is at once choaked with the Name of Majesty. The more amiable the Character of our present *British* Prince, the more Influence his Name will have, and, for that Reason, it should be used with the greater Caution, I therefore, hope, Sir, that you will prevent that Gentleman from Proceeding in the Manner he began.

Mr M— P—.

Mr S—

I appeal to the House, Sir, whether I have, in any unparliamentary Manner, endeavoured to influence them by mentioning the King. An Address is proposed to be made to his Majesty, and how is it possible to speak of that Address without mentioning the Name of Majesty? If it is Parliamentary to object to that Address, I cannot conceive how it can be Unparliamentary to give the Reasons on which the Objection is founded. I mentioned a Transaction, which, though not formally communicated to this House, must, and ought to have a weighty Influence upon every Person in it,——

Here he was stopped, and called to Order

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again ;

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again; and it was insisted, that as the Transaction referred to had never been properly communicated to the House, it should not so much as be mentioned in it.

Mr M— P—.

Mr S—,

I think it very hard, Sir, not to be suffered to explain my own Meaning, and assign the Reasons for my own Opinion. I mentioned a Letter, Sir, from the principal Secretary of State to the Lord Lieutenant; as having convinced me that a certain Opinion was true; and as this was an Opinion, which, I thought it my Duty to declare to the House, I think, I had an undoubted Right to declare the Causes of it, whether they arose without Doors or within; whether the same Reasons that have convinced me, will, or will not convince others, I shall not enquire, nor have I any concern about it. Gentlemen may believe, or rather appear to believe, just as much or as little as they think proper, but they have no right to compel me to leave my own Opinions unsupported, or to appear to have adopted Opinions, without any Evidence of their Truth. I am of Opinion, that Addresses to the Crown, by way of Complaint, are
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very delicate Things, and should never be made but in Cases of the highest Importance; to make them on trivial Occasions, must necessarily weaken their Efficacy, and deprive us of a powerful Resource when we most need it. Murmuring and Complaint never excite Generosity, or dispose to Kindness; and, on the present Occasion, may produce very disagreeable Consequences, as I think, upon Enquiry, they will appear to be ill founded, and to be subsequent to a Measure, graciously taken, with a View to preclude them; being then of Opinion, that this Address is improper, and, having assigned the Reasons of this Opinion, I shall give my Vote against it.

Mr E— S— P—,

Mr S —,

The collateral Point in dispute, Sir, whether the honourable Gentleman is, or is not at Liberty, to mention in this House, a Transaction of which it ought to take no Cognizance, I shall pass over; but I cannot help expressing my Surprise at a Reason he has assigned, for not agreeing to the Address, which is intirely independant of that Transaction: He says, Sir, that he cannot agree

to the Address, because no previous Enquiry has been made whether it is proper ; and yet he was one of those, who strenuously opposed that Enquiry, and recommended a more moderate Way of proceeding ; so that he opposed an Enquiry, because it was not a moderate Way, and he opposes a moderate Way because there has been no Enquiry : If the Enquiry was essentially necessary to a more moderate Way, his opposing the Enquiry, upon pretence of taking the more moderate Way, was a Farce ; if it was not necessary, his present Opposition of the moderate Way is, for ought that appears, wholly causeless and capricious ; at least, it cannot be justified by the Reasons he alledges in its Justification. I think he admitted, and, I think every Gentleman present admitted, that Pensions, in their present Extent and Destination, were a Grievance ; and this general Consent is surely a sufficient Ground of Application for Redress, at least, for a Representation of the Grievance to the Crown.

The H—ble Mr B— M— spoke much to the same Purpose, as Mr M— P—, he said, he thought, that as there had been no Enquiry, there should be no Address, and that

that he was infinitely more against the Address, than the Enquiry.

Mr C— C— recommended Confidence in the King, and the Lord Lieutenant, as his Excellency had, of his own Accord, represented the State of the Country to his Majesty, and his Majesty had, in consequence of it, taken it into Consideration : That as it was doubtful whether they could insist upon the Limitation of Pensions as a Matter of Right, Men of great Abilities being divided in their Opinion, about the Legality of the Grants, and as there was no Reason to suspect his Majesty's good Intentions he thought acquiescing in his Measures, and putting Confidence in his Promises, would have a better Effect than the contrary Conduct.

The R—t H—ble, Mr H— L— R—.

Mr S—,

Though I am very sensible this Country has suffered much by Pensions, yet, I think, an Acquiescence in his Majesty's gracious Declaration, not only dutiful but prudent ; I do not know what we can gain by Disputes with our sister Country ; as we have certainly no Power to resist, we should acquiesce with a

good Grace ; as Justice can exact nothing, we should see what Generosity will give. His Majesty is too gracious to see us suffer any Evils, that he can Redress, and too wise not to know that the Support, Protection, and Prosperity, of this Country, will contribute to the Honour and Dignity of his Crown, and to the Strength and Riches of all other Parts of his Dominions.

Mr *H— L—* made a conciliating Speech which did him great Honour.

Mr *A— Mac A—*.

Mr *S—*,

The honourable Gentleman, upon the Floor, who spoke the second in this Debate, took some Pains to demonstrate, that there had been no Increase of Pensions disproportionate to the Revenue, from the Year 1717 to the present Time ; he observed, that in the Year 1717, the Pensions amounted to 52,000*l*. and that they now amount but to 75,000*l*. which, he said, considering the Increase of the public and private Revenues, and the Difference in the Value of Money, was but just equal. Now I shall not only endeavour to shew, that this Calculation is fallacious, or,

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at least, is fallaciously applied, but that we are in a worse Situation, with Respect to Pensions now, than we were then, in other Respects. Of the 52,000 *l.* then paid Annually in Pensions, 12,000 was *French*, and 8,000 was Military ; the Money expended in *French* Pensions was certainly most judiciously bestowed, for it encouraged and supported the poor persecuted Protestants, who were driven from their native Country by the Edict of *Nantz*, and who, by taking Refuge among us, greatly strengthened the Protestant Religion in this Country, and, at the same Time, improved it by the Introduction of many useful Manufactories. The Money laid out in Military Pensions was also usefully applied, as it was, in almost every Instance, the Reward of Merit, and enabled many of the Nobility of the Country to support the Dignity of their Stations, and preserve an Influence, which was employed greatly in favour of our Religion, and Government ; whereas the Money now bestowed in Pensions is so far from answering any of these good Purposes, that it counteracts them ; it is paid to a set of nameless, obscure, and dissolute Wretches, who contaminate the Society to which they belong, with Idleness, Luxury, and Corruption ; but, setting the Application of the Money out

of the Question, and allowing the Increase of our Revenues, and the different Value of Money, the gross Sum was more proportioned to our Ability then than now ; to prove that the Proportion is equal, it must be proved that our Expences, in all other Things, are equal, which is by no Means the Case ; supposing, that we take the Encrease of our Revenues, and the different Value of Money to ballance the Pension Account, and make 75,000 *l.* a Year equivalent only to 32,000 *l.* nothing remains to ballance other Articles of Expence, which are encreased in nearly the same Proportion. In the first Place, we have now Interest to pay for a National Debt, which was not then contracted ; our Military Establishment is encreased to an enormous Degree ; our Employments are greatly multiplied, with excessive Salaries ; the Salaries of old Employments have received very extraordinary Augmentations, and our Absentees are become much more numerous ; if these additional and enormous Expences are subtracted from our Revenue, I believe it will be found that much less remains to pay our 75,000 *l.* a Year Pensions, than we had in the Year 1717 to pay 32,000 *l.* ; and, therefore, it is still true,
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notwithstanding all the honourable Gentleman has said, that our Pensions are more a Grievance now than they were then; and that though we supported a Weight of 32,000 *l.* then, we may sink under that of 75,000 *l.* now. But, supposing our present Pensions to be a Grievance, I find some Gentlemen are of Opinion, that it should be suffered without Complaint. It has been insinuated that Complaint would be imprudent and undutiful; and obscure Hints have been thrown out, of some nameless Evils that Complaint may draw upon us. Now, Sir, if we were a Nation of Slaves, and lay at the Mercy of a capricious Tyrant, who knew no Law but his Will, this might be true; but, as we are a Nation of free Men, who inherit Liberty as our Birth-right, and are subject to a Sovereign, who is engaged, by the most solemn Ties, to govern us according to certain, invariable, and known Laws, it cannot be true. What Power on Earth have we to fear, while we conscientiously discharge our Duty? And it is our Duty to complain of Grievances by which the Nation suffers, whose Representatives and Trustees we have the Honour to be. We have been told, Sir, of the Interposition of a Lord Lieutenant, but, surely, our gracious

ous Prince will not pay less Regard to the Voice of his People than to that of his Servant; and I hope no Gentleman present will suppose that a Person, who is sent from another Country, and continues among us for a short Time, can know our Weakness and our Strength, our particular Interests and Circumstances, the Nature and Causes of our Complaints, as well as the great National Council of the Kingdom, consisting of Gentlemen who are born in it, and have an hereditary Interest in its Welfare. The Representation of Grievances, if such there are, is our peculiar Province; it is a Duty that we owe not to our Constituents only, but our King, whose Honour and Dignity, Happiness and Strength, certainly depend upon the Prosperity of his People: I shall therefore give my Vote for the Address.

Dr C— L—.

Mr S——,

I am extremely surprized, Sir, at some of the Objections that I have heard made against the laying our Complaints before the Throne, by an Address: We have been told that it is a delicate Matter, and that we had better conciliate Good-Will, than provoke Resentment: Some oblique Threatenings have also been
thrown

thrown out, and an Attempt has been made to over-awe us by the Dread of some Evils which it has been insinuated that this Resentment may produce. But what Opinion must we entertain of his Majesty, if we conceive these Evils to be real, and this Dread to be well-founded? It has already been observed that his Majesty has not the Power to hurt us being innocent, and God forbid that we should suppose him to have the Will. What can be more injurious to that amiable and beneficent Character, for which he has ever been distinguished, than to imagine that if we humbly apprise him of our Sufferings, he will not only leave us without Redress, but punish us for complaining! His Majesty, Sir, I am sure, would be greatly troubled if he thought we had dishonoured him by so unworthy an Opinion, and our Sister Country would certainly consider our timid Acquiescence in public Grievances without Complaint, and our voluntary receding from our constitutional Dignity and Privileges, as a Reproach to us, and a bad Omen to herself; for as we form together one Aggregate, whatever weakens a Part, must necessarily diminish the Strength of the whole. I think, therefore, that, in Duty to our Constituents, in Friend-ship

ship to *Great Britain*, and in Honour to the Crown, we should consent to this Address.

The Question being then put, it passed in the Negative by 124 against 55.

Mr E— S— P— then moved, “ That
 “ an humble Address of Thanks be presented
 “ to his Majesty, for his gracious Intentions
 “ towards this Kingdom, concerning the not
 “ granting of Pensions for Lives, or Years,
 “ upon this Establishment ; signified by one
 “ of his Majesty’s principal Secretaries of
 “ State to his Excellency the Lord Lieutenant,
 “ and by him communicated to one of his
 “ Majesty’s principal Servants in this King-
 “ dom, and by him to this House.

Mr P— T—, the A. G.

Mr S—,

I can scarce persuade myself that the honourable Gentleman is serious in the Address that he now proposes, for it is certain that no such Address can be presented, consistently with Propriety, or the Rules of Parliament ; for the Subject of it is not regularly before the House, nor was ever intended to be so. I thought it my Duty, indeed, to declare what

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I knew of a particular Transaction, when I was called upon so to do, in Consequence of what an honourable Member had thrown out concerning it ; but the Address now proposed seems to be founded upon a total Mistake of the Fact, as I stated it. I did not say, that any Assurance came by Order of the King, in a Letter from a principal Secretary of State to the Lord Lieutenant, but that the Lord Lieutenant having represented the State of Pensions on this Establishment to his Majesty, his Majesty had been graciously pleased to say, that he would not grant any more Pensions for Lives, or Years, except on extraordinary Occasions ; and that his Excellency, not thinking himself at Liberty to communicate what his Majesty had said in a private Conversation, without Permission, wrote to the Secretary of State to know from his Majesty whether he might communicate it, as a private Conversation, and the Secretary's Answer purported that he might. Now, Sir, though his Majesty's gracious Declaration, even in private Discourse, deserves the greatest Confidence, yet, surely, it is not a proper Subject for an Address of this House, for it is wholly unprecedented and unparliamentary to found an Address upon any Thing that has not, in a public

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lic and solemn Manner, been communicated
to this House,

Mr E— S— P— replied, that he could not recollect that the honourable Gentleman had been called upon * either by himself, or any other Member, when he made the Declaration in question, but that he did it voluntarily, and from himself: That such Declaration had most assuredly influenced the House, many Gentlemen having declared that their Vote had been determined by it: That the Mode in which the Assurance had been communicated, was a Matter of no Consequence, the Communication of it had had a powerful Effect, and as the Assurance had been thought to deserve Confidence, he was of Opinion that it deserved Thanks, and that, as their farther Proceedings to obtain a Redress of the Grievance of Pensions had been stopped by his Majesty's gracious Declarations, it was but just, both with Respect to themselves and his Majesty, to let him know it, that he might be

* See the Proceedings on the Xth Day, p. 199, where the A— G— says that he thought himself called upon by the Circumstances of the Debate, though not expressly, by any particular Gentleman.

sensible of their Confidence in him, and, at the same Time, that they continued in the same Sentiments, as to Pensions, after they relinquished their Proceedings against them, that they entertained before ; and were still of Opinion, that they were repugnant to the Honour of his Majesty, and the Prosperity of his People.

Mr H— F— then spoke to the following Effect :

Mr H— F—.

Mr S—,

As I troubled the House with my Sentiments at large with Respect to Pensions, on a former Occasion, I had determined to say no more on the Subject ; yet I find myself forced from my Resolution, for I have this Night heard such Things as would “ cause the Lips “ even of the Dumb to speak.” I have heard it insinuated, that we ought quietly and tamely to acquiesce in a Grievance without Complaint, for fear our Complaint should be represented as an Affront, and punished as a Crime. But as I am injured in such Insinuations in common with every Subject of this free State, and as I am restrained by no such Principles of slavish Fear, I will complain of the Injury I have

have received. To tell us that we ought to bend our Neck to the Yoke, merely because it is held out, is to subvert our Honour, and alienate our Birth-right. The whole World, Sir, has a better Opinion of the *British* Constitution, and of this National Assembly, and God forbid we should think unworthily of ourselves, that we should forfeit our Privileges, or betray our Trust! God forbid that we should sink into voluntary Slavery, by a supine Timidity, that will render us contemptible even to our Tyrants, and odious to the magnanimous Nation which gloriously maintains that Independance and Freedom, that Honour, and those Privileges of which we seem not to know the Value, and which, if we give up, we shall certainly not deserve to enjoy; and yet, into this abject Slavery we have been exhorted to fall, and to whom? why to *British* Tyrants. —

Mr J— G—, the S. G.

Mr S—,

I am very sorry, Sir, to be obliged to call that honourable Gentleman to order, but he is certainly running into the greatest Irregularity of Debate that ever happened in any House of Parliament: He is going back, Sir,

into

into the Debates upon a Question that has been determined already, and he may as well go back into Debates upon a Question that was determined the last Session as the last Hour. It is drawing a Weapon against Gentlemen that are unarmed; for it is contrary to the Rules of Parliament to reply to any Insinuations thus irregularly thrown out. But, Sir, the Substance of what this Gentleman has offered, is not less contrary to Order than the Time and Manner of it. Let me appeal to this House, and to all the Gentlemen present, who are not Members of it, whether it has ever been said, or insinuated, that we ought to become Slaves to brutish Tyrants; I am sure there is not a Man that hears me, who does not, from the Bottom of his Heart, disclaim and detest such a Sentiment as most fatal to us, and most injurious to *Great Britain*. The Voice of the Majority is the Voice of the Nation, and in that, once given, we ought to acquiesce. Give me leave to add, Sir, that the Majority, by which the late Question has been determined, consists of Gentlemen of Rank and Abilities, Gentlemen who have great Property to secure, and great Characters to maintain; and, I think, there never sat in any National Assembly of any Age, or any

Country, Persons who had more the constitutional Rights of the People at Heart, or knew better how they were to be maintained. The Expressions which have been used by the honourable Gentleman, must, therefore, appear to be very improper, in every Respect, and such as can only tend to substitute real in the stead of imaginary Evils, by violating the very Constitution which he appears to be so zealous to support.

Mr H—F—.

Mr S—,

As I have a very great Respect for the honourable Gentleman who has called me to Order, I am very unwilling to think he has done so without just Cause ; and yet I cannot help being sensibly struck at the Inconsistency and Contradiction that appear in what he has said. He called me to Order, upon Pretence that I objected to what had been alledged in a former Debate, and yet, in the same Breath, he asserted that the Sentiments and Expressions against which I objected were never uttered in that Debate. If the Expressions, against which I objected, were used in a former Debate, then it is, surely, contrary to something
more

more than Order to say they were not; if those Expressions were not used, in a former Debate, I do not see that any Order is violated by the Objections I made to them. I think it is my Duty to express such of my Sentiments, and of the Sentiments of those with whom I have conversed, as I think essentially affect the Question now in Debate. As to the general Characters of that honourable Gentleman, and the rest of the Majority, I am persuaded they stand fair in the Opinion of all the World; but, as to their present Manner of acting, both the Public and the Minority have a Right to judge of it as they think proper.

Here the A. G. called him to Order again, and insisted upon it, that he had no Right to suppose the Majority in the Wrong; that the Majority always was right, and that, upon this Principle, the Laws of the Country subsisted. —

Here the A. G. was himself called to Order by Sir W— O—, who insisted that the honourable Gentleman, who had been called to Order, had not said that the Majority were in the wrong, nor any Thing which those

who heard him had a Right to construe into that Sense ; he had only said, that the Minority and the World had a Right to judge of their Conduct as they thought proper, which was certainly true ; and he observed, that if there was no Diversity of Opinions, there could be no such Thing as a Majority or Minority.

Mr *H— L—* then got up and spoke to the following Effect :

Mr *H— L—*.

Mr *S—*,

Though I have the Misfortune to differ from my much-esteemed and very ingenious Friend, who has been twice called to Order, yet, on this Occasion, I must bear my Testimony that he did not say the Majority were in the wrong, nor ought he to answer for such an Interpretation of his Words. Let me add, that I think the catching at every Thing that may happen to be thrown out in this House, which is not perfectly consistent with the strictest Rules of Parliamentary Order, must tend to prune away that Liberty of Debate which is of much more Importance than
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the mere Mode in which Debate is carried on ; nor do I think a minute Observance of such Rules necessary, when there is a general Propriety in the Proceedings, and the Arguments are pertinent, and well supported, especially when they are in favour of those Measures which have the Advantage of the Public for their Object, and which Men are never tempted by sinister Motives to pursue.

Mr H— F—.

Mr S—,

However unexperienced I might be in Parliamentary Rules, I could not be so deficient, in general Knowledge, as to insinuate that the Majority was wrong in their Determination, for there ought certainly to be a public Defe-
 rence to their Opinion, and a public Acquiescence in what they do ; yet the Minority, and the Public, have certainly a Right to think for themselves, and every Individual, in his private Capacity, has, by the fundamental Laws of this Country, a Right of private Judgment, with Respect even to Religion, which has Objects still more important than public Liberty, and national Independance ; and whatever the Majority may have determined

with Respect to a particular Measure, I have undoubtedly a Right to declare, that, in my Opinion, and in the Opinion of many of my Friends, without Doors, a silent and implicit Acquiescence in the Grievance, which is universally allowed to accrue from Pensions, is a Prostitution of our Character, and a Breach of our Trust; an Injury to the Public, a Dishonour to the King, and a Disadvantage to *Great-Britain*. In this Opinion I am conscious that I differ from many Gentlemen in this House, who have taken the other Side of the Question, but, I believe, I shall not displease them by declaring, that I most sincerely concur with them in thinking that no Address should be presented to his Majesty, in consequence of the Letter that has been so often mentioned, for, in the Capacity in which alone we can Address his Majesty, we ought not to be supposed to know that there is such a Letter existing. Besides, Sir, I am clearly of Opinion, that the Letter, if it had been regularly communicated to us, would not have deserved our Thanks. It is but too easy to prove, from a Variety of Instances, that the Promise of Ministers, delivered even by the Crown, and communicated in a Parliamentary Way, even to the Commons of *Great-Britain*,

tain, who are more tenacious of their Rights, and have more Power to defend them than any other Body of Men, are not always to be trusted. To one Proof of this I was an Eye and Ear Witness ; Mr P—, a Person who is, perhaps, without equal, either in this, or in any other Age, for Firmness of Mind, Steadiness of Conduct, and both personal and political Courage, declared, in the House of Commons in *England*, that a certain Promise had been made by the Crown, about three Months before, which was then about to be broken ; he called a noble Duke and an Earl to witness his Assertion, nor could either of them deny it, whatever their Followers might. This Promise was at last evaded, and what Reason can we have to expect better Fortune ! But if his Majesty, Sir, should fulfil this Promise, our Grievance will not be removed : It imports only that Pensions, for Lives, or Years, shall not be granted, except upon extraordinary Occasions ; but if the same Person, who allots the Pension, is to determine without Appeal, whether the Case is extraordinary, there will not be one less Pension granted for Life, or Years, than if such Promise had never been made. I know it has been said, Sir, that a Minister will not venture to pretend an

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extraordinary Occasion against the concurrent
Sense of the whole Nation ; but may not a
Minister pretend that the Nation have not,
nor can have sufficient Knowledge of the
Case to judge rightly about it ? May he not
pretend that the Extraordinariness of the Case
arises from Reasons of State, which cannot be
communicated ? Besides, Sir, it may be fairly
asked, on what Occasions Ministers have ad-
vised the granting Pensions already ; it is not
much to their Credit to suppose they have
wantonly, or on trivial Occasions, lavished
away the public Money ; they will pretend,
I suppose, that they have hitherto done it only
on extraordinary Occasions, and if, for the fu-
ture, they advise Pensions, as they have done
hitherto, I should be glad to know what Title
they have to our Thanks ; but the very
Terms of the Promise do not include Pensions
during Pleasure, so that an Intention to in-
crease this Part of our Burthen seems to be
implied, even in the fallacious Promise not to
encrease it in other Parts : For these Reasons,
Sir, I shall give my Vote against the Address
that is now proposed.

The warm Contest between Mr F—, the
A. G. and Sir W— O—, concerning Order,
having

having occasioned some Mirth in the House, Mr M— P— said, that he was pleased to see every Body in as good Humour at being called to Order as himself; that he had been called to Order three Times that Night, but that instead of being displeased, he thought himself much obliged to his Friends, for setting him right when he was wrong, which in the warmth of Debate might happen to any Man, however versed in Parliamentary Rules.

Mr J— H— H—, the P. S. then spoke to the following Effect;

Mr J— H— H—,

Mr S—,

My worthy Friend, near me, Sir, thought fit to acquaint the House a few Days ago, that he would, at a proper Time, communicate to us a Secret of a most wonderful Nature; last Night, Sir, he declared, that the mysterious Arcanum should be disclosed to Day. Curiosity, Sir, is a strong Passion of itself, but Curiosity, with Respect to a Matter of Importance, excites the most restless and painful Solicitude and Anxiety; with this mixture of Passions, I have watched the Lips of
my

my honourable Friend, this whole Day, and I have at last recovered my Tranquility by discovering his Secret ; he has not, indeed, expressly and formally declared it, which, perhaps, may be the Effect of an ingenuous Modesty, not willing to draw the public Attention wholly upon himself, or to represent any Thing relating to his own Opinions, or Conduct, either as Wonderful, or Important ; it is therefore, in justice to his Merit, that I shall be explicit upon the Subject ; and it is with great Pleasure, that I now Name the Secret to the House, which he has only left them to guess ; it is no other, Sir, that though he has for some time been of Opinion, that we should not acquiesce in Ministerial Promises, nor be content to owe the Redress of our Grievance, arising from Pensions, to the Interposition of a Lord Lieutenant, or accept that as a Matter of Grace, which we might demand as a Right, yet he has now wholly changed his Mind, and is of Opinion that we ought humbly to present our Thanks to his Majesty for a Letter, written by his Minister, containing, a gracious Promise, that what we have not demanded as a Right, shall as a Favour be bestowed upon us : This, Sir, is indeed, a most wonderful Event, and
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an Event of wonderful Importance, I cannot but rejoice in common with all present, that it is a Secret no longer, and, I think, we cannot be too sanguine in our Expectations of Advantage, from the Acquisition of this worthy and truly patriotic Member to our Party, nor sufficiently congratulate him upon his Recovery from the only Error, which, perhaps, he ever imbibed.

Dr C— L—.

Mr S—,

I am extremely happy, Sir, to find that we Country Gentlemen, and the Courtiers, are likely to be of the same Opinion; they have highly extolled the gracious Intentions of the King, and have given much Praise to his Ministers, who have communicated them to us; and, we are now willing to return our most grateful Thanks to his Majesty for such Intentions, which is carrying their Encomium into Effect; we shall, therefore, I hope part with the most cordial Unanimity of Sentiment, and like good Friends, and good Subjects, go home and drink the King's Health, and that of his Pensioners, into the Bargain.

The

The Question being then put, it passed in the Negative without a Division.

Mr *E— S— P—* then moved, that an humble Address be presented to his Majesty, most humbly to beseech his Majesty, that he will be graciously pleased to recall the Pension of 1000 *l.* a Year, granted to *George Charles, Esq;* on the 15th Day of last *July*, for the Term of 31 Years, in Trust for the *Sardinian* Minister, as a Reward for Negotiating the late Treaty of Peace with *France* and *Spain*.

The Question being put, it passed in the Negative, without Debate, or Division.

FRI-

FRIDAY, Nov. 25, 1763.

TWENTY-SIXTH DAY.

Mr J— M—.

Mr S—,

T H E R E was a Bill passed in the last Session of Parliament, without a Division, for impowering *Papists* to lend Money on the Mortgages of real Estates; this Bill, though for what Reason I know not, was lost in *England*, yet, I think, its passing into a Law would have been of great Advantage to this Kingdom. At present *Papists* can take only personal Security, for the Money they lend, which is certainly a great hardship upon them, and, I shall endeavour to shew that it is also a great Disadvantage to the Public. As the Public is nothing more than an Aggregate of Individuals, the Suffering of an Individual, is a Disadvantage to the Public in the Proportion which that Individual bears to the whole, supposing the Suffering of the Individual to terminate entirely in

in himself; now *Papists* making one Part, and a very considerable Part too, of this Community, it is certain that the Community must suffer with them, supposing their peculiar Disadvantages to affect only themselves; but, in this Case, their Disadvantage affects other Parts of the Community; if the *Papist* is prohibited from lending, upon such Security as is thought a sufficient Indemnification, which, with Respect to mere personal Security, in such a Country as this, cannot be the Case, it is certain, that the Protestant is continually restrained from borrowing, and yet borrowing and lending, are mutual Advantages. It may, perhaps, be replied, that though the Disadvantages under which the *Papists* are laid, by what are called Popery Laws, are, indeed, Disadvantages to the Public, yet the Disadvantages to the Public would be greater if the *Papist* was admitted to all the Privileges and Immunities of Protestants; that we have, in this Case, the Power only of chusing the least of two Evils, the different Religious Opinions of the Inhabitants of this Country making a certain degree of Evil inevitable. But, in Answer to this, I must observe, that, with Religious Opinions, any farther than they include political

cal Principles, affecting Civil Government, we have nothing to do. As Protestants our Religion is founded upon the Right of private Judgment. We renounce the Infallibility of the Pope, and it would be absurd, indeed, to set up, instead of it, an Infallibility of the State; we must, upon our own Principles, admit that the Opinions of those who differ from us may possibly be true; and Opinions that may possibly be true we have certainly no right to punish; we may, indeed, and we ought to keep the Power of hurting us out of the Hands of those whose Principles would lead them to exert it; but, I think the *Papist* a much more formidable Enemy, as an Inmate, in the Possession of our ready Money, than in the Possession of a Mortgage Deed. Money is always Power, and that Money which is placed out in Protestant Hands, upon a Mortgage, is Power in favour of the State; the same Money, in the Hands of the *Papist* unlent, supposing the *Papist* to be an Enemy to the State, is Power against it. Besides, Sir, Money is not a local, but a transitory Property; a *Papist*, possessed only of Money, has no local Interest in the Country, but a *Papist* Mortgagee has; he will be engaged to support the Government in
point

point of Interest ; his Security for his Money is good, while the Government subsists, and in the Convulsion that always attends the Subversion of Government it will at least become doubtful ; besides the greater the Advantages that the Papists receive under the present Constitution, the more they must desire its continuance, and, I will venture to say, that if the Papists were to be admitted to all the Privileges of Protestant Subjects, there would scarce be a practical Jacobite among them, whatever there might be in Theory. I should, therefore, be glad that the Bill should have another Trial, and shall therefore move for leave to bring in Heads of a Bill, to impower Papists to lend Money on the Mortgage of Land, and to sue for the same.

Mr T— Le-H—, said, that he thought the Bill proposed, would eventually make Papists Proprietors of great Part of the Landed Interest of the Kingdom, which would certainly extend their Influence, and that it was dangerous trusting to the Use they would make of it, upon a Supposition that their Interest would get the better of their Principles. That the Act mentioned to have passed the
last

last Sessions, did not pass without a Division, there being a Majority of no more than twelve in its favour, and that it would not have passed at all, if it had not been for some artful Management, it being brought in the very last Day of Sessions, when no more than 62 Members were present. He, therefore, begged that the honourable Gentleman would postpone his Motion till *Monday*, as the House was now thin, and as Gentlemen would then have Time to consider the Subject, which was of very great Importance. He added, that as there was Reason to suppose it to be the general Sense of the House, that such a Bill should not pass, he thought it would be better that no Heads of such Bill should be brought in, as it was cruel to to raise Expectations which would probably be disappointed.

Mr M— consented to post-pone his Motion.

SATURDAY, Nov. 26, 1763.

TWENTY-SEVENTH DAY.

DR C— L— observed, that, by the Report of the Committee of Ways and Means, it appeared, that Instructions had been given, by a Resolution of the House, for a Clause in the Money-Bill, empowering his Majesty to borrow the Sum of 100,000 *l.* that remained unborrowed of the 400,000 *l.* which the Crown was empowered to borrow last Year, if there should be occasion for it; and that this Clause amounted in effect to a new Vote of Credit, having, in every Respect, the same Virtue and Force; he was, therefore, of Opinion that it ought regularly to pass a Committee of the whole House, and go through all the Forms, which did not seem to be intended; he also remarked, that Instructions for the Clause were given when the House was very thin, and that Gentlemen, who knew nothing of the Matter, might be surprized, when they found that a Power had been given to borrow so considerable a Sum.

Mr

Mr E— S— P— said, that the Observation, made by the honourable Gentleman on the Floor, was just; and that, as the Power of the Crown to borrow, in Virtue of the last Year's Grant, ended on the 25th of the next Month, the extending that Power to a further Time, with Respect to 100,000 *l.* ought to be considered, to all Intents and Purposes, as a new Vote of Credit, and ought to go through all the proper Forms.

Mr P— T—, the A. G. said, that he always intended it should go through such Forms as were proper, and that hitherto all the proper Forms had been attended to, it having already been mentioned in the Committee of Supplies; there was great Reason, he said, to believe that the Civil and Military Establishments, and other Exigencies of Government, with the Interest upon the Loan, and the Money to be laid out in the Improvement of the Kingdom, would exceed the Ordinary Revenue, and the Ballance in the Treasury, about 95,000 *l.* and that it would be a more natural and easy Method to provide for that Exceeding by the Clause of the Money-Bill in Question, than to give a new

Vote of Credit, and had been thought so, both by the Committee of Supplies, and that of Ways and Means. He added, that it had been mentioned by the honourable Chairman of both those Committees, when they were near as full as they had ever been ; and that he was very sorry any Gentleman should suppose that a Surprize was intended. If any Gentleman, he said, was of Opinion that the Power of borrowing, the yet unborrowed 100,000 *l.* should not be given by a Clause, in the Money-Bill, they would have an Opportunity of objecting to it while the Money-Bill was passing. He observed also, that the Supplies voted, must be made good, which could not be done without empowering the Crown to raise Money for that Purpose ; and that therefore, nothing but the mere Mode of granting this Power could be in dispute, and he concluded, by saying, that the very Sum, remaining unborrowed, was an irrefragable Proof, that no more had been raised than had been wanted, and that the Crown having, in so recent an Instance, had Credit for a much larger Sum than had been taken up, had given a Proof of Oeconomy that deserved the greatest Commendation and Confidence.

Dr L— replied, that he was very sorry the honourable Gentleman should suppose he had the least Notion, that a Surprize was intended; my Words, (says the Doctor) were “Gentlemen will be surprized *at* the Clause,” and not “Gentlemen were surprized *into* it;” and I should not, says he, have made my Remark, if the honourable Gentleman had not said, when he was preparing a Clause to bar the Vice Treasurers Appropriation of Fees, that the Clause, was intended merely to prevent Disputes, as he thought no Vote of Credit would be wanted.

MON-

MONDAY, Nov. 28, 1763.

TWENTY-EIGHTH DAY.

MR. G— L— moved the House to Address the King, that the Sum of 1498 *l.* 6 *s.* should be given to *Arthur Mervin*, Esq; to enable him to finish the Mills, and Store-Houses, which he had begun at *Naul*, in the County of *Meath*.

In support of this Motion, Mr L— expatiated on the great Utility of these Mills, there being no other of the same Kind in that Part of the Country; a very great Quantity of Wheat, he said, had been ground by them the last Year, and a constant Supply of Flour sent to *Dublin*, which contributed to lower the Price of that necessary Commodity; he observed also, that the Money which had been already granted by Parliament to Mr *Mervin*, for erecting these Mills, had, by a Committee, appointed to enquire how it had been applied, been reported to have been very faithfully and judiciously used, and that
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the Sum now applied for, would compleat the Work.

Mr P— T—, the A. G. said, that he understood it to be a Rule of the House, not to grant any Bounties to private Works, or Manufactures *, and that if they really were of the Utility, that was pretended when Bounties were applied for, they must necessarily be of great Advantage to their Proprietors; that Applications in behalf of public Works, of the greatest Importance had been rejected upon a Principle of Oeconomy, which it would be absurd and injurious to violate in favour of particular Persons; he therefore, hoped that no Precedent would be established so repugnant to the Honour of the House, and the Interest of the Nation, and, for his own Part, should be against the Motion.

Dr C— L— said, that he always considered Addresses to his Majesty for Bounties of this Kind as an unconstitutional Measure, as one Part of the Legislature was intirely excluded

* See the Motion and Order, page 306, and 307.

by the Application ; and, besides, that those Works could be of no Utility to the Public, which did not themselves abundantly reward their Proprietors ; that a considerable Bounty had been granted to this Undertaking already, which made it still more improper to comply with the present Demand, which he was amazed how any Member of that House could make. He had, he said, a great Esteem for the Character of the Gentleman, in whose behalf the Address was proposed, and did not doubt but that the Money would be faithfully applied to the Use intended ; but, he said, as the House had refused Money, even to build and repair Churches, they could not without the greatest Inconsistency, grant Money to build a Mill.

The Question being then put, it was carried in the Affirmative 61 against 36.

It was then resolved *Nem. Con.* upon the Motion of Mr *H— P—* that “ This House will not proceed upon any Petition, or Motion to address his Majesty for granting any Sum of Money this Session, for the Encouragement of private Undertakings.”

But

But before Mr *F—* made this Motion, Mr *W— P—*, the V. P. said, that he thought it ought to be deferred a few Days, because coming just after an Address had been voted for a Sum to encourage a private Undertaking, it would look as if great Partiality had been shewn to Mr *Mervin*.

Mr *E— S— P—* said, that a great Quantity of Geneva was imported from *Holland*, as well as of Rum, which was also imported from the *Isle of Man*, from which a considerable Loss accrued to the Public; and that the Importation of these Liquors was caused by a very high Duty, amounting almost to a Prohibition, on Juniper Berries, and Molasses, so that no Juniper Berries had been imported for two Years; he, therefore, proposed that the Duty on Juniper Berries, and Molasses, should be taken off; and that the additional Excise laid upon Spirits, distilled in this Kingdom, should also be taken off, and laid upon all Spirits imported from *Holland*, which would encourage our Manufacture, and enable us to export a Commodity to the *Isle of Man*, which was now clandestinely imported from thence. Mr *P—* also represented, that the
Drug-

Druggists and Apothecaries dealt in a Article called Sperma-Ceti, which was subject to a Duty of 2 s. 4d. a Pound ; and that this Commodity was now used in making Candles, which, by many Persons, were preferred to those of Wax ; and, that, if this high Duty was taken off, it would encourage the Manufacture, and Consumption of Sperma-Ceti Candles, and reduce the Price of Bees Wax, which was a considerable Article in the Linen Trade.

Upon this Representation, a Petition of the Distillers, and the Druggists, and Apothecaries, praying that the Duties on Juniper-Berries, and Molasses, and, also on Sperma-Ceti, might be taken off, was read ; and a Paper containing the Opinion of the Merchants, and Sugar-Bakers of *Dublin*, in the Support of it. In consequence of which the Petition was referred to the Grand Committee for Trade.

Dr C— L— introduced a Petition of the Sedan Chairmen of *Dublin*, setting forth, that they had long laboured under great Difficulties, on account of a heavy Tax, of 42 s. a Year, on each Figure within the City, and
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that in *London* and *Westminster* each figured Chair paid but 10 s. a Year, though the Hire is much greater ; and praying Relief.

The Petition was referred to a Committee, and a Committee was appointed accordingly.

Mr T— D— introduced a Petition on Behalf of the Merchant Adventurers of *Dublin*, setting forth that many Banks, Shoals, and Narrows, rendered the Navigation of the Harbour of that City extremely difficult, and dangerous ; and that a Number of skillful Pilots would be a Means of saving the Lives and Properties of many ; and praying leave to bring in Heads of a Bill touching such Pilotage.

This Petition being read, Mr J— G—, the R— of the City of *D—*, spoke to the following Effect :

Mr J— G—.

Mr S—, The Corporations of the City of *Dublin* have, by their Charter, an undoubted Right to that Part of the Harbour with Respect to which

which the proposed Act of Pilotage must take Place ; and if this Act should be framed, so as to give separate Powers to the Pilotage, independant of the City of *Dublin*, it would be productive of such Law Suits, founded on a prior Right, as might defeat the Purposes it is intended to answer ; for this Reason a particular Knowledge of the Charter should be acquired, and, as the necessary Enquiries will take up some Time, I think this Petition should be referred to a Committee, in the general and usual Way, upon the Report of which the House may be enabled to form such an Act, for regulating the Pilotage, as will be liable to no Exception.

Mr L— O—.

Mr S—,

I think the Delay and Trouble of referring this Petition to a Committee is unnecessary : The Utility and Importance of such an Act of Pilotage, as is now applied for, is universally known and acknowledged : It will be of the greatest Advantage, not only to the City of *Dublin*, but to the whole Kingdom, and to all other Nations that Trade with it : No private Claim, therefore, of the City over the

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Harbour, should be suffered to delay or obstruct the Progress of the Bill in Question, which ought to have no View but the Pilotage; and how to make it most effectual in that View, the House may immediately consider, without the Delay of referring it to a Committee.

To this the R— replied, that it was the usual and established Method to refer all Petitions to a Committee; that, in this Case, it was particularly necessary, for the Reason he had alledged, and that no great Delay or Obstruction could happen by it, as the City of *Dublin* would heartily and zealously concur in the Measure, and do every Thing that might forward it, as far as was consistent with their own Rights, which he was sure might be made perfectly compatible with it, and, therefore, it was pity they should be unnecessarily made to clash, by Precipitancy or Inattention. He therefore moved that it might be referred to a Committee.

To this Dr C— L— agreed, but said, he hoped the Committee would be well attended.

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The Petition was, therefore, referred to a Committee, and a Committee appointed accordingly.

TUESDAY, Nov. 29, 1763.

TWENTY - NINTH DAY.

THE House, according to Order, resolved itself into a Committee of the whole House, to take into Consideration the Loan-Bill ; of this Committee Mr B— was Chairman, and when the Clause which had been inserted in the Bill, according to the Instruction of the Committee of Supplies, and the Resolution of the Committee of Ways and Means, for enabling his Majesty to borrow the Sum of 100,000*l.* that remained unborrowed of the 400,000*l.* which the Crown had been empowered to borrow the last Year, if the ordinary Supplies should fall short, was read *, Mr L— O— got up and spoke to the following Effect :

* See the Debates in Day XXVII.

Mr L— O—.

I rise up to object to that Clause, which alters the Nature of the Bill in which it is inserted, from all the Bills of the Kind that have ever been known before; for it makes it at once a Loan Bill, and a Bill of Credit. That Gentlemen may see how different the Credit now given is from the Credit hitherto given to Government, I shall beg leave to state the Progress of that Credit in as regular and succinct a Manner as I can. In the Year 1715, a Time when we were involved in all the Danger and Distress of a Rebellion, this House, sensible of the uncommon Exigencies of the State, gave an unlimited Vote of Credit to Government, which, I hope, no such Danger and Distress will ever make necessary again. In the Year 1733 another Vote of Credit was given; and another in the Year 1741. The late very expensive War, and the Danger of an Invasion from abroad, compelled the Ministry to represent to the Lord Lieutenant, the Necessity of putting the Country in a State of Defence, upon which two Applications were made to Parliament, one in the Year 1759, and the other in the Year

Year 1761, for the Aid of considerable Sums, which were accordingly granted. Now two Things are to be considered in the Course of this Credit ; first, it was always given in Consequence of an Application from the Ministry to this House, in Times of Danger and Distress ; and, secondly, that the Bill of Aid went regularly through the Committee of the whole House, and through all the Forms which have ever been held essentially necessary to a Measure of so much Consequence to the Nation ; neither would an Application from Government have been effectual, if it had been founded upon imaginary Danger, or chimerical Wants ; the House never opened the public Purse till it was fully convinced of the Reality of the Exigencies that were suggested, and, even then, it was done with all the Caution, Circumspection, and Deliberation that becomes those who dispose of Money that has been deposited, as a Trust, in their Hands. But how different from all this is our present Conduct ? We now, when there are neither Wars, nor Rumours of Wars, when there is no Danger without, nor any Occasion of uncommon Expence within ; when his Majesty has been graciously pleased to tell us, that nothing more than the usual Supplies shall

shall be demanded, and recommends to us the lessening the National Debt, we are now without the least Colour or Pretence, contrary to all Precedent, and, in a most unparliamentary Manner, granting an Aid of 100,000 *l.* without either Solicitation, or Request, by lugging a Clause into a Loan Bill, for that Purpose. I am sorry to say, that the Introduction of this Clause has been managed when the House has been very thin, and when nothing of the Kind was expected ; and I most earnestly entreat, that every Gentleman of the few that are now present, would consider the fatal Tendency of the Measure in Question : Let us not lightly give up a Prerogative on which our very Being depends, the Power we have over the public Money, by letting it, as it were, slip through our Hands, and, instead of giving it, suffering it to be taken. From our tenacious Care, and cautious Disposal of the public Money, we derive Power, both from the Crown, and from the People ; the People think us worthy of Confidence, and the Crown of Attention. But if we give our Money unasked, and unexpected, we undervalue our Grants on one Hand, and betray our Trust on the other ; we lavish our Treasure merely to make ourselves cheap, and so, by one Act, be-

come both poor and contemptible. Yet we should, even for the Sake of the Crown, and of our Sister Country, keep the Power and Importance that is still left us, and be faithful over our single Talent, that, in a Day of Danger and Distress, such a Day as we have seen, and such as we may see again, we may have it in our Power not only to defend ourselves, but to assist our Protectors. But, besides these strong, and, in my Opinion, irrefragable Arguments, against this Vote of Credit, for so I must call it, passed in this Manner, and at this Time, there is the Danger of the Precedent, which should by no Means be overlooked. I am fully persuaded of his Majesty's gracious Intentions towards this Country, and have no Doubt but that our present Lord Lieutenant will persevere in that benevolent Disposition, which has hitherto so nobly distinguished him; but, from the Nature of Things, he must, at length, give Place to another, who may not be equally worthy of our Confidence, but who will not fail to expect a voluntary Grant of the same Kind, as there can be no Time in which there will not be as good, if not better Pretence for expecting it than the present: If we do not grant it shall we not incur the Charge of Partiality?

ty ? and, if we do, shall we not incur a yet greater Evil ? Besides, it may happen that we may not think it expedient to grant such an Aid, even though it should be asked ; but, if we render ourselves liable to be reproached, upon such Occasion, with having before given, unasked, what we then refuse to a Request, it is easy to see the Jealousy and Ill-Will that must arise, and the Disadvantages that must necessarily accrue to Government from such a Disposition. The only Pretence for the Measure from which all these Evils will arise, is, that the Duties may fall short of the Sums that we have voted as a Supply ; but as it appears, from the closest Calculation I can make, that there is not the least Danger of such a Deficiency, I must put my Negative upon the Clause.

Mr P— T—, the A. G.

I entirely agree with the honourable Gentleman who spoke last, with Respect to the Methods usually practised in passing Votes of Credit ; but I am very far from considering the Clause, empowering his Majesty to extend the 100,000 *l.* unborrowed of the Aid granted the last Sessions, to make good the Supply

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now granted, if the Duties should prove deficient, as a Vote of Credit. I believe every Gentleman must allow that the House is under an indispenfible Obligation to provide for the Civil and Military Establishment, and for the Payment of Interest on the Loan, besides the Sums that have been granted for the Improvement of the Country; and, notwithstanding the Calculation, by which the honourable Gentleman says it appears that the Duties will not be deficient for these Purposes, I will take upon me to say that they will be deficient: He will find, by Experience, that his Computations upon the Sums, which the Duties are supposed to raise, has been too large, and I am of Opinion that one Article will fall short no less than 100,000 *l.* It was upon the closest Calculation that it was thought necessary to empower the Government to borrow the 100,000 *l.* in Question; the Deficiency was foreseen, and, therefore, it was provided for; and, in this Particular, the Clause objected to, essentially differs from a Vote of Credit. All Parliamentary Aid that is given to Government, at its own Request, is given with an unlimited Power, as to the Application, and before a Grant thus unlimited and unappropriated is made, it is very natural

tural and proper that a solemn Enquiry should be set on Foot how far it is necessary, as nothing but absolute Necessity should induce the House to vest such a Power in the Crown. Thus a Vote of Credit is always in Consequence of an Application from Government, because, in Times of War, and general Distress, when alone such Applications are made, Government only can perfectly know the Danger that is to be guarded against ; and thus the Disposal of Money, raised on a Vote of Credit, must always be left to the Discretion of Government, because it is one of the Prerogatives of Government to direct how a War shall be conducted against our Enemies, and what Measures shall be taken for our own Defence. But how different is the Purport of the Clause now under Consideration ? This Clause gives a Power over 100,000 *l.* upon an express Condition, that the Duties granted for the Supply, shall fall short, and expressly appropriates that Sum to make good such Deficiency. This Clause, as it does not give the Sum of 100,000 *l.* with an unlimited Power as to the Application, neither does it give that Sum at the Requisition of Government ; the Money is given to make good our own Engagements, and is, therefore, properly

of our own Motion; nor does it follow, that, because it is unasked, it is unnecessary, as has been insinuated. Let me state the Case more particularly, and beg that Gentlemen would dispassionately consider it. The Parliament first agrees to the Support of a certain Civil and Military Establishment; to the Payment of Interest on a Loan after a certain Rate; and to expend no less than 96,000 *l.* in the Service of the Country: certain Duties are laid to supply the Sums necessary for these Purposes; it is found, upon a very exact and diligent Calculation, that the Duties will fall short; but the Faith of Parliament is plighted to provide for its own Appointments. Interest to the public Creditors must be paid; the Civil and Military Establishments must be supported, and the public Works, already begun, must be carried on. What then is to be done? We have but one Alternative. We must either lay on new Taxes, or we must enable the Crown to borrow now what we had enabled it to borrow before, and what, not having wanted, it had not before borrowed. The laying on new Taxes, equivalent to the Deficiency, is not, surely, a desirable Measure; it would, in the first Place, be extremely difficult to lay them on, and, in the next Place,

Place, still more difficult to take them off. No new Duties have been laid upon this Kingdom since the Year 1727, which is now near forty Years ago ; and do not let us begin to lay new Taxes now, in a mere Fit of Caprice, starting out of a plain Road, like a vicious Horse at the wagging of a Straw, and running into a real and lasting Disadvantage from a mere Phantom, a Bug-Bear, existing only in our own Imaginations. What should alarm us, if we judge like rational Beings, in appropriating a certain Sum to a certain Purpose, for the Preservation of National Credit, and the Prevention of supernumerary Taxes ! What should persuade us that the Sum thus appropriated will be misapplied ? What should induce us to think those unworthy to be trusted with Money, who have given us an Instance of Integrity and Oeconomy in the very Sum about which we are debating, which is Part of 400,000 *l.* that they have not borrowed, though they were invested with a Power so to do ; and, why should we suppose that the very Persons who would not unnecessarily spend our Money last Year, will spend it unnecessarily the next ? Let me also observe, that this Moderation was not accidental, or singular, it did not arise from a casual

Inattention, nor from overlooking an Advantage, which, at other Times, had always been secured ; for no less than 300,000 *l.* remained unborrowed of the Loan before the last. Gentlemen have mentioned the Clause, under Consideration, as a Precedent of bad Tendency ; I have, I think, great Reason to hope that this Country will not again be under the same Circumstances that make the Clause necessary ; but, if it should, a right Measure can never be a bad Precedent, and it must, at all Times, be prudent to secure the Honour of the House, and to support the public Credit, by a parallel Measure, in parallel Circumstances ; I shall therefore give my Vote against any Amendment.

Mr J— *Fitz-G—*.

I am sorry to say that I have the Misfortune to differ from the very learned Gentleman who spoke last, in every Particular. I do not think that we are reduced to what the honourable Gentleman is pleased to call an Alternative of new Taxes, or a Vote of Credit for 100,000 *l.* I say a Vote of Credit, for such it appears to me. It has been insinuated, that this Vote of Credit is to stand in the Place of new Taxes ; but I must beg leave to say, that

that it will make new Taxes necessary, so that it is a Sword with two Edges drawn against this unhappy and distressed Country; it is, a new, unprecedented, unparliamentary, and dangerous Mode, of giving the Government Power over the Money of the Public, and it is not only a certain Source of new Taxes, but a probable Cause of their Perpetuity. Is not Interest to be paid for this 100,000*l.*? and how are we to raise Money to pay this Interest, but by new Taxes? Is not this Interest to be an annual Burthen, till the Principal is paid off? And, is it probable that, if we proceed as we have begun, we shall be able to reduce our Public Debt? One of the great Evils of what is called borrowing and funding is, that the same Taxes must be levied in Time of Peace, as during a War; and that the Burthen laid on, during the greatest Exigency, must be continued on our Shoulders, when the Exigency is over: It is also equally true, and equally to be lamented, that, by borrowing and funding, we shall, in so short a Time as twenty Years, have paid 40*s.* in the Pound for all the Expences of State, even with Respect to that Part of the Public Debt, which we will suppose to be then paid off. If we borrow this Year 100*l.* to de-
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fray the Expence of some Exigency, and immediately apply it to that Purpose, it is manifest, that if we pay Interest for this Sum, after the Rate of 5 *l. per Cent.* we shall, at the End of twenty Years, have paid just as much for Interest as the Sum borrowed amounts to, and that if we then repay the Sum borrowed, we shall pay just 200 *l.* for the Expences which 100 *l.* would have defrayed. I shall not, however, enter farther into this Subject: that the Clause now in Question is without Precedent, that it is ill-timed, that it is unnecessary, has been proved with such Force, both of Reason and Eloquence, that it would ill-become me to use any Arguments for the same Purpose. I shall only say, that if we are to increase the Public Debt, at a Time like this, I cannot conceive when it is to be lessened. A successful War is just concluded, and all *Europe* is in a State of profound Peace, yet we have struggled in vain against an Increase, not only of our Civil but Military Establishment, without the least Hope of being able to provide for them, since no Plan of any Extent, or Consequence, has been proposed with Respect to our Commerce, Trade, or Manufactures, from which a reasonable Expectation may be formed, either of Population,

or

or Riches. Next Year, therefore, it may be necessary to provide for a larger Sum, in the Loan-Bill, than at present; and the Precedent we are now setting, will, doubtless, be alledged for such Provision; but this is not all, the very Vote of Credit, now in Question, on which others will be founded, may itself be the Cause of our being in a worse Situation than if it had never been granted. Suppose a Demand should be made for a certain Sum, by the King's Letter, will not such Sum be paid out of the Treasury? And will not the Revenue fall so much the shorter on that Account? And is it not then to be made good by extending the Power of borrowing, to the 100,000*l.* yet unborrowed? Is not the Vote, for extending this Power, to all Intents and Purposes, a Vote of Credit, notwithstanding any formal or nominal Distinctions, which have been made to insinuate the contrary? If we give no such Credit, Government will have no Encouragement to over-draw, and get into Debt, because, in that Case, the Debt would come immediately under the Notice of Parliament, and Parliament might either provide for it or not, as might be thought proper. Here the Money is provided for before-hand, and if it should be taken up
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without the Revenues falling short, I do not see how we can be redressed ; why then, to avoid an uncertain Evil, should we incur one that is certain ? Why, because the Revenue may fall short, should we give an unprecedented Power over 100,000 *l.* every Penny of which, for ought we know, may be misapplied, and if it should be so, leave us without Remedy against the Misapplication. It has been, I think, universally allowed, that the most effectual Way to preserve Innocence, is to avoid Temptation ; let us now act upon this Principle, and not lay a Temptation in the Way of Government, to take an illicit Advantage, which, at present, it seems neither to Expect nor Desire ; the worst that can happen, if our Revenue should fall short, and this extraordinary Provision is not made to supply the Defect, will be, that some of our Pensioners must wait a little longer for their Money, and some of our Public Works must stand still to settle upon their Foundations, before the Weight of the rising Superstructure is encreased.

Mr *J—G—*, the S. G.

It amazes me, in the highest Degree, to
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hear Gentlemen talk of the Honour and Dignity of this House, and, at the same Time, recommend so absurd, and puerile, an Inconsistency of Conduct, as one Day to vote a Civil and Military Establishment, the Payment of Interest for a public Debt, and the Construction of Public Works, and the next to scruple the making a Provision for the Supply of Money necessary for those Purposes. Gentlemen have said, that the Manner in which it is proposed to make this Provision is unprecedented; perhaps, the Terror inspired by its supposed Novelty may abate, when they are told that what is now proposed to be done here, is done always in *England*, but with this essential Difference, that there the Extension of the Credit is certain, and here it is contingent; if it should be extended, though the Contingency does not happen, and so the Money be misapplied, contrary to the declared Intention of the very Clause, which gives Power to extend it, this House may certainly call the Ministers of the Crown to an Account for it, and Gentlemen must know very little, indeed, of the Power of this House who suppose the contrary. Government can never be supposed to have the same Power over a Sum that is ap-
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appropriated, as over a Sum that is not appropriated, and, therefore, a Clause respecting an appropriated Sum is not a Vote of Credit, but stands in the Place of new Taxes, though it is on all Accounts more eligible, as my learned Friend on the Bench before me, has, already observed, for, if new Taxes should produce a Surplus, and it is scarce possible they should not, if they are laid on so as certainly to prevent a Deficiency, such Surplus will be wholly at the Disposal of the Crown, so that the Clause now proposed seems to be the only Expedient, to avoid the disadvantage both of a Surplus and Deficiency. The Surplus would be a total Loss to the Public, and as to the Deficiency, I am excreably surprized to hear the learned Member, who spoke last, make so light of it; he affects to treat the short Payment of Pensions, and the Interruption of public Works as Trifles; but, surely, it is not a Trifle to cut off the Bread, which the Faith of Government is pledged to supply; it is not a Trifle to render the Sums already expended on public Works useless, by suffering them to run to ruin before they are finished, which must be the Case, if their Progress is interrupted. I am also surprized that we should be reproached with
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laying Temptations, in the Way of Government, by a Work of pernicious Supererogation, because Government has not applied for the Clause under Consideration; it is not possible, in the Nature of Things, that the Government could apply, for the Government could not know that it would be necessary; but we know that it will be necessary, and, therefore, we ought to insert it without Application. It was incumbent upon us to make good our own Engagements, nothing more is now proposed, and it is astonishing that any Gentleman should propose less; for all these Reasons, I shall vote for the Clause as it stands.

Mr J— H— H—, the P. S. spoke with great Force and Eloquence, in favour of the Clause, and made a Calculation of the Produce of the Revenue, at a Medium, for fourteen Years past, by which it appeared to fall somewhat short of the necessary Supply; he computed it also for the last two Years, and, upon this Computation, it came pretty near to an Equality; he, therefore, hoped, he said, that the Deficiency provided against would not happen, but no Risk ought to be run.

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Mr H—F— replied, that as the honourable Gentleman had allowed this Method of granting a Credit, to be attended with dangerous Consequences, he wondered he should adopt it, especially, as he had also admitted, that there was a great Probability of its being unnecessary.

The Question being then put, the Clause was agreed to without Amendment.

The House adjourned till *Saturday* next.

Mr Y—W—, the P. S. spoke with great Force and Eloquence, in favour of the A 8th, and made a Calculation of the Produce of the Revenue, as a Medium, for fourteen Years past, by which it appeared to fall somewhat short of the necessary Supply; he computed it also for the last two Years, and upon this Comparison, it came pretty near to an Equality; he therefore, hoped, he said, that the Deficiency provided against would not happen, but no Risk ought to be

SATURDAY, Dec. 3, 1763.

THIRTIETH DAY.

Mr E— S— P—.

Mr S—,

I Sometime ago, Sir, mentioned to this House, my Intention to complain of a Breach of Privilege, with Respect to a Letter that was directed to me, and charged at the Post-Office. I observed, that I thought it the Duty of every Member of this House to support its Dignity, by supporting his own Privileges; and that sending and receiving Letters free, was a Privilege which I should be very sorry to see infringed. I mentioned these Particulars, Sir, that Gentlemen might think it worth while to attend on the Day appointed; but the Question was deferred on that Day, because a Right Honourable Member, who had declared his Intention to support the Rights of the Post-Office, against what I imagine to be the Privileges of the House, was not present. I am informed that this Gentleman is now out of Town, and,

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that he will not be in Town till *Thursday*; I, therefore, beg leave to appoint *Friday* next for the Discussion of this Subject, and move, that the Person whose Business it is to charge Letters at the Post-Office, be ordered to attend.

“ *Ordered*, That the Officer, or Officers, who charge the Postage on Letters, in *Dublin*, do attend this House next *Friday* morning.”

Mr *P*— then proceeded as follows :

I must also take this Opportunity, to say, that though the Schemes which I have from Time to Time proposed for the general Benefit of this Country have been considered in another Light, and have, therefore, been rejected, yet I think it my Duty to persevere, and shall, therefore, next *Friday*, make a Motion, which I think of the highest Importance, and if other Gentlemen shall be of a different Opinion, I must content myself with the Consciousness of having done my Duty, according to the best of my Judgment, and the utmost of my Abilities. I also beg leave to bring in the Heads of a Bill, for the better

better Regulation of the Butter Trade, and the Prevention of Frauds, with Respect to the Tubs which contain that Commodity.

Ordered, That leave be given to bring in Heads of a Bill for the better Regulation of the Butter Trade, and to prevent Frauds, and Abuses, in the making of Butter-Casks ; and that Mr P—, Mr L— O'B—, and Dr L—, do prepare and bring in the same.

Mr T— D— said, that he considered the Country to be in such Danger from its Debts, Incumbrances, and the late Vote of Credit, as must alarm every Body, and that he was very solicitous to do all in his Power, that might keep off the evil Day of a Land-Tax, as long as possible, that with this View he begged leave to move, that

“ No Money be granted for the making
“ of new Canals, or rendering Rivers Navi-
“ gable, or for improving Harbours, or Quays,
“ at the Public Expence of this Kingdom ;
“ and that no Money be granted on Petition,
“ or by Address, for any new Work, or Ma-
“ nufacture, till this Nation is free of Debt.”

Mr J— G—, the S. G. said, that there was a Work, for which 5000 *l.* had been already granted, and for which a further Aid would be necessary, that he hoped would be excepted out of this Resolution: This Work he said, was the building proper Offices for keeping the Records of the Kingdom, which were now kept in the Inn's Quay, a Place in the highest Degree improper, being in perpetual Danger from Wind, Water, and Fire; the Building, he said, was so crazy, that it was liable to be blown down by every rude Gale that blew, and, being pervious to the Rain, was so damp, that the Remains of it were rotting away, and the Records in danger of being obliterated, and destroyed; that to prevent the Effects of the Damp, great Fires were constantly kept, which exposed it to Danger of another Kind equally to be dreaded; that upon the Records kept in this Place, the whole Property of the Kingdom depended; and, therefore, he hoped no Resolution of the House would be taken, that should bar the providing for them a Place of greater Security.

Mr D— replied, that he could have no
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Objection to a Work, which was already voted to be necessary, and which was incontestibly of the greatest Importance; and that he meant only to discourage Applications to Parliament, for Money to be laid out in new Works, Enquiries concerning which interrupted the Business of the Session, and diverted the Attention of Parliament, from National Concerns; to lay out Money on Projects of this Kind was, he said, considering the State of the Nation, like a Man's running in Debt to adorn his Grounds with Serpentine Rivers, and Gravel-Walks, which, before they were finished, would oblige him to sell his Estate to satisfy his Creditors.

Mr E— S— P— said, that however Gentlemen might be inclined to the Practice of a severe Oeconomy, he was persuaded that no general Resolution of the Kind proposed, would be thought binding to the House.

The R—t H—ble Mr F— A— said, that though he was so ill with a Cold, as scarce to be able to speak, yet he could not help giving his Opinion against any such general Resolution, as had been proposed, as there could be no colour of Reason, why Gentle-

men should tie themselves up from giving such Assistance as might afterwards appear necessary, to Undertakings that might produce Advantages for the Money laid out, in the Proportion of Ten to One ; which was by no Means an improbable Case, in a Country the most capable of Improvement in the known World. That when any such Proposal should be made, Gentlemen ought to be at least free to consider it ; that they would be as able to judge of the State of the Kingdom, and to determine whether it would be expedient to grant Money for Improvements then, as they were now ; that if the Grant of Money appeared to be improper, no Money would be granted, and that if it appeared proper to grant Money, it was very fit they should be at Liberty to grant it, and secure the Benefit of an advantageous Proposal to their Country.

Mr *A— Mac A—* said, that he would never give his Voice for such a general Resolution as had been proposed, which he considered as a Disgrace to the House, because it implied an Inability to judge properly, and impartially, concerning such Proposals as should be laid before it ; the very
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Motion, he said, implied that the House had a Propensity to run the Nation in Debt, by Schemes of unnecessary Expence, and placed it in the odious and ridiculous Light of a losing and infatuated Gamester, who, in a fit of Remorse, hoped to fortify a Resolution he was conscious he should not keep, by Oaths and Imprecations never to play again.

The Question being put, it passed in the Negative without a Division.

Mr C—, and Mr *Fitz-G—*, were heard in a Committee, as Council for one *Margaret Brown*, a Creditor of the Estate of *Willcocks* and *Dawson*, Bankrupts, against a Bill for transferring the whole Remainder of their Estate and Effects, from the Assignees under the Commission, to Mr *Thomas Birch*, Merchant, for his own Use, upon Condition, that he should immediately pay a Dividend to the Creditors, of 2 s. 8 d. in the Pound, which, with former Dividends, amounting to 15 s. 4 d. in the Pound, would make 18 s. in the Pound, and leave but 2 s. of their Debt unpaid, which might well be supposed to have been spent in Acts of Parliament, Law-

Suits, and other Proceedings under the Commission.

It appeared in the Course of the Pleadings, that Notice had been given of an Application for this Bill, in the Public Papers; and that all the Creditors under the Bankruptcy, came readily into it, as an advantageous Proposal, except this *Mrs Brown*; and among other Persons that were examined on the Occasion was Mr *Wolfe*, the principal Assignee, under *Willcock's* and *Dawson's* Commission, by whose Ability, Integrity, and particular Attention, an Act of Parliament was procured, under which all the Debts of one *Fade*, who was concerned in the Bank, and died before the Commission issued, were paid without Deduction; this Gentleman gave it as his Opinion, that Mr *Birch's* Proposal would be for the Advantage of the Creditors, and the Bill, therefore, was favourably reported by the Committee.

M O N.

MONDAY, Dec. 5, 1763.

THIRTY-FIRST DAY.

MR J— D— moved, that a Breach of Privilege, committed by *George Casbell*, an Attorney of the Court of Exchequer, against R— Fitz-G—, Esq; a Member of this House, by procuring by Surprize, the Poſtea, or Certificate of a Verdict, to be signed by the Judge of Affize, against the said R— Fitz-G—, during the Time of Privilege, might be referred to the Committee of Privileges and Elections; and it was referred accordingly.

Mr J— B— moved, for leave to bring in Heads of a Bill, for better securing the Liberty of the Subject, and leave was given accordingly.

Mr J— H— moved, that a Petition of Lord L—, that the House would address his Majesty to grant him the Use of 3000 *l.* for eight Years, upon his giving Security to repay it at the End of that Time, might be
be

be referred to a Committee of the whole House *; upon which, Dr C— L— spoke as follows.

Dr C— L—.

Mr S—,

Though I am perfectly sensible of the Public Spirit of the noble Lord, who has applied for this Money, and both of his Ability and Intention, to lay it out to the best Advantage, yet I think it my indispensable Duty to oppose its being granted him; it is but a very few Days ago, since the House unanimously resolved to grant no more Money by Address, to his Majesty, for the Encouragement of any private Undertaking this Session †, and it seems to me to be an Inconsistency extremely unbecoming this House to break through that Resolution; it is true,

* Lord L— had built a Granery at L—, for the Encouragement of Tillage, in the inward and most arrable Parts of *Ireland*; and as a Relief against Famine and Monopoly of Corn, and for the Encouragement of Manufacturers, settling in those Parts, and the Money, now applied for, was to Stock it with 4000 Bushels of Wheat.

† See the Proceedings of Day XXVIII.

that

that Resolutions to do ill are better broken than kept; but this Resolution is not, certainly, of that Kind, as it was formed upon a thorough Knowledge, and lively Sense, of the disadvantageous Situation of this Kingdom, with Respect to the Debts with which it is encumbered, and the heavy Establishments that it bears; as well as upon a Conviction that the Grant of Money, in this Manner, was eventually laying a Tax upon the Subject in an unconstitutional Manner, as the Consent of one Part of the Legislature was wanting. He added, that, granting Money by Address, was a Precedent that might be grossly abused, for though, in the present Case, the Money might be applied to a laudable Purpose, yet the granting it would encourage others to expect and apply for Indulgencies of the same Kind, and that, as a Consciousness of the Necessity of an exact Oeconomy had prevented the House from granting Money for Undertakings of general and public Utility, he did not see how Money could be either justly or consistently granted to Individuals for private Purposes: He concluded, by proposing, as an Amendment, that, instead of the Words, "that the House will take into Consideration an humble Address," the Words, "that

“ that the House will take into Consideration *whether it may be proper to present* an humble Address.”

Mr E— S— P—.

Mr S—,

I remember, that in the Year 1759, it was the unanimous Opinion of this House, that nothing could be of greater Utility to the Nation than public Graneries, as it appeared that a Dearth, very near approaching to a Famine, constantly happened in this Country in the Revolution of about six or seven Years, either from the Nature of the Climate, or from the imperfect State of Agriculture ; and nothing prevented the Establishment of public Graneries, as well for the Relief of the poor in these Years of natural Scarcity, as at Seasons when an artificial Scarcity was produced by an iniquitous Monopoly of Grain ; but a proper Plan for the Construction of the Buildings being wanting, and, above all, the Regulations under which the Grain was to be bought in and sold out, appearing to be of so nice and complicated a Nature, Gentlemen were deterred from making the Attempt, as well by the Labour and Difficulty of the Undertaking, as by Despair of Success : It therefore seems strange

now

now a liberal and public-spirited Nobleman has, at his own private and very considerable Expence, built a Granery, which is universally allowed to be perfectly adapted to answer the Purposes intended, now he has appropriated the Use of it entirely to the Public, and undertaken the Care and Management of it, at a very considerable further Expence of Time and Money, that we should not be willing to assist him with so trifling an Aid as the Loan of 3000 *l.* for eight Years, upon Security then to repay it, in Order to determine the Success of the Experiment. I perfectly agree with the worthy Member who spoke last, that Money should not be granted for private Purposes, because we have made a Resolution to the contrary ; but I cannot think that though this may be said to be a private Undertaking, that it is an Undertaking for a private Purpose, so that though it comes within the Letter of the Resolution, it does not come within the Spirit of it. I also agree with him, that this Method of granting Money, without the Concurrence of all Parts of the Legislature, is justly liable to Objections, yet that in this Case, so particularly circumstanced, the Objections may well be overruled. Besides, the Motion now made, is

only

only that the Affair may be referred to a Committee of the whole House, where it cannot fail to be more maturely considered, and, as I think, it bids fair to encourage Agriculture, and to prevent a Scarcity of Bread, the great Necessary of Life, in the very Heart of the Kingdom, at a great Distance from any Sea-Port, and, as the Interest of 3000 *l.* for eight Years, which is all that we can lose by the Experiment, is a very inconsiderable Sum, I shall vote for the Motion, without any Amendment.

The Question being put upon the Amendment, it passed in the Negative, 108 against 2.

The Question being then about to be put on the Motion, Mr *J—G—*, the S. G. spoke to the following Effect :

Mr *J—G—*, the S. G.

Mr *S—*,

In my Opinion, Sir, there is no Occasion for the House to go into a Committee on this Affair, for, however eligible the Erection of Graneries may be, under proper Regulations, and upon a general Plan, I cannot but think
that

that the Grant of Money for this particular Granery, would be extremely improper. The Establishment of a single Granery of this Kind, under whatever Regulations, cannot, in my Opinion, be of any Service to the Kingdom in general, or even to the County in which it is established, as I told the noble Lord, when he did me the Honour to mention it to me. I have the highest Opinion of his Lordship's Integrity and Public-Spirit; I am under great Obligations to the County of *L—*, and have a personal Regard for the Inhabitants, among whom I live, and who have done me the Honour to chuse me for their Representative, and, therefore, I can oppose this Project only from a Conviction that it will not answer the Ends proposed. The County of *L—* is, most of it, under Agriculture, so that though well peopled, it furnishes Grain abundantly sufficient for its Inhabitants, nor do I remember a single Year of Dearth in it, except one very remarkable Season some Years ago, when there was a Scarcity almost to a Degree of Famine, over the whole Kingdom: But, supposing this County liable to a periodical Dearth, I do not see how this Granery could obviate any of the Evils it would produce: It is alledged, indeed,

indeed, that it would alleviate the Distress of the Poor, but that cannot be the Case, because it is intended to be a Repository for Wheat, and it is a known Fact, that the middling and lower Classes of People never make Use of that Grain for Bread, not being able to afford it, when it is in the greatest Plenty. This Granery, therefore, would, in Fact, be only a Conveniency for the Rich; but it would not be necessary even to them, for they would be able to procure Wheat for themselves without it. Besides, if an Indulgence of this Kind should be shewn to that County, it might justly be expected by the rest, and would be a Precedent for Claims which could neither be granted with Conveniency, nor refused with Justice. I have, indeed, been always averse to the many Grants of large Sums that we have lately made for the Encouragement of various Undertakings, which, I fear, will never produce any Advantage to the Nation; and, I think, the Ballast-Office Wall was the only Work to which I contributed with Pleasure, from a Consciousness of its Utility; I shall, therefore, be against the Motion.

Mr

Mr E— S— P—.

Mr S—,

I am sorry to say, Sir, that the very Reason which the honourable Gentleman has given against the Establishment of a Granery at *Longford*, is, in my Opinion, the strongest Reason that could be alledged for it, its abounding in Grain; in Consequence of this Abundance, Grain can be laid in at a cheap Rate, and, as *Longford* is in the Center of the Kingdom, it may be distributed from thence to all Parts, as Occasion shall require: His other Objections are equally unfortunate; and, I think, manifestly conclude in Favour of the Project. He says, the Grant of Money to this Granery, will be an Encouragement to Applications from other Places; but it cannot be an Encouragement to those who are not in the same Circumstances; and, if the Example of the noble Lord, should induce other Gentlemen to build Graneries all over the Kingdom, equally magnificent and useful, it will be the happiest Thing that could possibly happen; and if we could establish them when thus built, in every Part of the Country, by a mere Loan, without Interest, for a few Years, it would be the best Use we could possibly

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make of our Money, and the less we have, the
more diligent we should be to lay it out with
Advantage. But the honourable Gentleman
has also objected, that the poor would not be
benefitted by Graneries for Wheat, because they
cannot afford to eat wheaten Bread ; but,
though Wheat may be dearer than other
Grain, when other Grain is plenty, it does
not follow that Wheat, purchased in a plenti-
tiful Country, at a cheap Rate, and laid up in
a Granery, would not be cheaper than other
Grain, when other Grain is so scarce, as, with-
out a Magazine of some Kind, almost to pro-
duce a Famine. It is, indeed, with equal
Wonder and Concern, that I hear that Gen-
tleman declare, that, in Consideration of our
pecuniary Necessities, he could not, willingly,
give his Consent to the Grant of Money for
any public Work, except the Ballast-Office
Wall, because that Consideration did not de-
ter him from consenting to the very large, and,
I think, unnecessary Establishments, both Ci-
vil and Military, which now burthen us ;
to the Payment of our Money to Foreigners,
with whom we have no Connexion, and
from whom we can hope no Service ; to the
Allotment of 5000/. to one Person, and
4000 /. to another, Sums much larger than
that

that now asked, not as a Gift, but as a Loan, for an Undertaking that has been always thought of public Utility, and, consequently, universally desired. I am sure if the honourable Gentleman would build a Granery himself, I would be one of the first to vote him a Loan of Money, without Interest, or any other Assistance that should be thought necessary.

The S. G. replied, that, when he said the County of *Lengford* produced Grain sufficient for its Inhabitants, he had not said or insinuated that it produced a Surplus; and he observed, that even the filling this Granery in a plentiful Season might increase the Price of Wheat to the Disadvantage of the Country, as when Wheat is dear, all other Kinds of Grain become dear in Proportion, as the Consumption of them is proportionably increased. He said also, that the honourable Gentleman had mistaken him, in supposing he did not willingly consent to the Grant for public Works, for that he objected only to the Largeness of the Sums: He said, he believed that when Gentlemen built Graneries, it was not wholly without a View to their own Convenience, or Advantage, and, therefore, he

O o 2

thought

thought them less the Objects of public Munificence ; that as to the Fortune of the noble Lord, he knew nothing of it, but that he himself had not a Fortune sufficient to build such Graneries, if he had, he would not ask for Assistance from the public Purse.

Sir *W— O—* then moved, that the Question should be put off till the 20th of *January* next.

The Question being put on this Motion, it passed in the Negative.

The Question for referring Lord *L—*'s Petition to a Committee of the whole House, being then put, it passed in the Affirmative.

Dr *C— L—* then moved for leave to bring in Heads of a Bill for securing the Freedom of Parliament, by ascertaining the Qualifications for Knights, Citizens, and Burgeses of Parliament, and to vacate the Seat of any Knight, Citizen, or Burgess of Parliament, who shall accept of any lucrative Office or Employment, Civil or Military, or any Pension upon the Establishment of *Great-Britain* or *Ireland*.

Or-

Ordered, That leave be given accordingly, and that Dr *L—* and Major *J—* do prepare and bring in the Bill.

TUESDAY, Dec. 6, 1763.

THIRTY - SECOND DAY.

MR *J— G—*, the S. G. took the Chair, as Chairman of the Committee of Privileges and Elections; and the Committee took into Consideration a Breach of Privilege complained of by Mr *J— B—n*, a Member of the House, against Mr *Henry Baker*.

Mr *B—n*, the Complainant, alledged, that Mr *Baker* had, by a Letter pretended to have been written by him the Complainant, prevailed upon one Mr *Lloyd* to come into a Bog, belonging to the Complainant, and measure it; which Measurement deprived him of Part of his Property; but the Fact of the Letter not being supported by sufficient Evidence, Mr *B— M—* having summed up the whole with

great Method and Perspicuity, declared it to be his Opinion, that Mr *Baker*, for ought that appeared, had acted in Pursuance of Mr *B—n*'s Directions, and that, therefore, he had been guilty of no Breach of Privilege.

Mr *Y— G—*, R. of *D—* then spoke to the following Effect :

Mr *Y— G—*.

Though I always consider the Privileges of this House as worthy the greatest Attention, and am of Opinion that they ought always to be inviolably supported, yet I think it my Duty, upon this Occasion, to explain myself somewhat more fully on the Subject. The Privileges of this House consist in the Exemption of its Members, in some Particulars, from the Laws by which the Wisdom of the Legislature has thought it fit that others should be bound : When a Member of this House, therefore, avails himself of his Privilege, another Subject is, in some Degree, injured ; for if the Act which invades the Member's Privilege is itself unlawful, there is no Need to have Recourse to Privilege for a Remedy ; if the Act is in itself lawful, if it is the Exer-
tion

tion of a Power or a Right which one Subject derives from the Law, against another, the restraining the Subject from such Act, is eventually a Loss and an Injury. The Privilege, therefore, claimed by the Members of this House, is founded only upon this Principle, that a less Evil should always be incurred to avoid a greater, and is an Advantage given not intentionally to the Member, but to the Public. The Members of this House are supposed to be engaged in the public Service, and it is better that an Individual should suffer by Preclusion from a Remedy against the Member, than that the Public should suffer by the Member's being incapacitated for the Service he owes to his Country and Constituents, or impeded in the Performance of it. No Act, therefore, against a Member of this House, which does not affect nor impede his Attendance upon it, or the Discharge of the Trust that has devolved upon him, as a Member of it, ought to be deemed a Breach of Privilege, and we ought to be as careful to prevent the Privilege of the Members of Parliament from becoming a Grievance to Individuals, by exceeding the Bounds of its original Intention, as to prevent the Public from suffering by its Infringement; and, I think,

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our Privilege ought never to be brought in Question, when the Law gives us a Remedy in common with the rest of our fellow Subjects, or when it can only screen us from a Remedy which the Law gives our Fellow-Subjects against us, except only when we cannot do Justice to the Individual, without Injury to the Public. I am, therefore, of Opinion, that, when Questions of Privilege are before us, we should never adjudge the accused Party to be guilty, but upon the fullest Evidence, which, I think, in the present Case, has not been given, and shall, therefore, give my Voice in Favour of the Respondent.

Mr B—n then said, that, as the Letter on which he founded his principal Evidence, could not be produced, he would beg leave to withdraw his Motion, which being granted, he withdrew his Motion accordingly. He observed, however, with Respect to the Letter, which, if it was not supposed to have been written for him, he must be supposed to have written himself, that he was in the same Situation with a Cobler he had somewhere read of, with whom much Pains was taken to make him believe that he had said and done many Things that never entered into his Head.

He

He also begged leave to take that Opportunity of expressing his grateful Acknowledgements to the honourable Gentleman who had filled the Chair with so much Integrity and Ability for the great Patience and Impartiality which he had shewn on the Occasion, and the rather, as Disputes had formerly subsisted between them, concerning the Corporation of the City of *Kilkenny*.

WEDNESDAY, Dec. 7, 1763.

THIRTY - THIRD DAY.

THE House being resolved into a Committee, to consider of Lord L—'s Petition, Mr J— H— took the Chair.

Mr G— L— then urged the Utility of Graneries in general, and enlarged, with great Force and Propriety, on what had been said when the Petition was brought into the House; recommending the Experiment as it might be made upon very easy Terms, and, if it succeeded, might produce very considerable Advantages.

Mr

Mr *W—T—* spoke to the same Purpose, and observed, that so sudden a Transition from extream Munificence to the most severe Parsimony would have a very singular Appearance. Lord *L—*, he said, had already laid out 5000*l.* as it was universally allowed, with an Intention, at least, of serving the Public, and that this certainly gave him a right to expect the Loan of a Sum amounting to little more than half the Money, for so short a Space as eight Years, upon giving Security to repay it : He said, he could not help taking Notice, upon this Occasion, that enormous Sums had been lavished away upon visionary Schemes, upon Piers that would afford Ships no Shelter, and upon Streams that would run only in the Journals of that House ; and that as we had so liberally given Money to Foreigners for nothing, it was a disgraceful Inconsistency, not to lend Money to a Native, who was attempting to benefit his Country.

Mr *J—G—*, the S. G. insisted that the House could commit no greater Inconsistency, than the granting Money, in an unconstitutional Manner, almost immediately after
having

having made a solemn Resolution to the contrary; and he observed also, that no Evidence had been produced to the Committee, that the Building in Question was properly constructed, or, that the Stocking and Management of it had been put under proper Regulations; and, therefore, he thought it his Duty on all Accounts to oppose the Petition.

A Motion was then made, That it is the Opinion of this Committee, that an humble Address be presented to his Excellency, the Lord Lieutenant, that he will be pleased to lay before his Majesty, the humble Desire of this House, that he will be graciously pleased to grant to the Right Honourable T—— Lord Baron of L—— the Sum of 3000 *l.* upon his giving Security by Recognizance, before the Right Honourable the Lord Chief Baron, to repay the Sum into the Receipt of his Majesty's Exchequer, at the End of the Term of eight Years, to be computed from the 25th of *March* 1764; in order to enable him to lay in a Quantity of Corn, in the Graneries he has erected, for the use of the Public, to be distributed out to the Poor, during any Time of Scarcity.

The

The Question being put, it was carried in the Affirmative, and the Motion was made a Resolution of the House.

THURSDAY, Dec 8, 1763.

THIRTY-FOURTH DAY.

THE House received the Report of the Commintee with Respect to Lord L——'s Commission, and upon reading the Resolution for an Address to the King in his Behalf, as expressed in the Proceedings of the XXXIII^d Day, a Motion was made, and the Question put, that an Amendment be made to the Address, by adding the Words, *Provided it shall appear to his Majesty, that it may be done without encreasing the national Debt.*

It passed in the Negative.

Then the Address being read a second Time, was agreed to by the House.

On this Day no other material Business was done.

F R I-

FRIDAY, *Dec.* 9, 1763.

THIRTY-FIFTH DAY.

MR *E—S—P—* made his Complaint of a Breach of Privilege against the Officers of the Post-Office, for having charged a Letter directed to him at *Limerick*, the City he represents, to be left at his Mother's, the only Place of his Residence in that City, during the Time of Privilege; and the House being informed, that *Thomas Jones*, acting Clerk of the *Munster* Road, attended at the Door, in obedience to the Order of last *Saturday*, he was called in, and examined, touching Mr *P—*'s Complaint.

After some Time spent in that Examination, Mr *F—* presented to the House, the King's Letter, dated the 31st of *October* 1727, relative to the Privilege of the Letters of Members, which was read.

Then a Motion was made, that *Thomas Jones* is guilty of a Breach of Privilege, in charg-

charging the said Letter ; upon which, an Amendment was proposed, by adding the Words, which Letter contained a Letter directed to another Person, at a Time when the said Mr P— was not resident in the City of *Limerick*, and without any writing for the said Mr P—.

The Question being put, on the Amendment, it passed in the Negative.

Then the proposed Question being put, it passed in the Affirmative, and Mr *Jones* was ordered into the Custody of the Serjeant at Arms.

On *Saturday* the 10th, and *Monday* the 12th Day of *December*, being the XXXVIth, and XXXVIIth Days, there was no Debate on any public Subject.

TUES-

DAY XXXVIII.] *Affairs of IRELAND.* 577

TUESDAY, *Dec.* 13, 1763.

THIRTY-EIGHTH DAY.

UPON the Report of the Committee of Privileges, and Elections, *George Cassell* was taken into Custody of the Serjeant at Arms for a Breach of Privilege, committed against *R— Fitz-G—, Esq;* (*See the Proceedings of the XXXIst Day.*

Mr *E— S— P—,*

Mr *S—,*

I took the Liberty, Sir, to acquaint the House last *Saturday* sev'nnight*, that I intended to propose on the next *Friday*, an Affair which I thought of great Importance; on that Day other Business intervened, and as an Opportunity now offers, I shall pursue my Purpose; I have hitherto been very unfortunate in the Proposals that I have made

* See the Proceedings on Day XXX.

with

with a View to the Public Advantage, but as I observed, on a former Occasion, I think it my Duty to persevere. The Consciousness of doing right is that Reward which Virtue bestows upon itself, and that Reward, Integrity and Perseverance may secure; let the Current, therefore, run ever so strongly against me, I am determined to strive against it to the last, and though I may not be able to stop, or to turn its Course, my Resistance will, at least, prevent my being carried away before it. I have, however, greater Reason to hope for Success in my present Proposal, than in any that I have yet made, for it is a Proposal to do what his Majesty has, in the most gracious and emphatical Manner, recommended to be done, in his Speech from the Throne, the Practice of Oeconomy, and the Reduction of our Debt. The Words of the Speech are these “ The
“ *Situation of Public Affairs will permit a*
“ *very considerable Diminution of the Public*
“ *Expence*; and I am only to thank you for
“ your past Efforts, without again having
“ Recourse to the experienced Liberality of
“ Parliament; I have nothing to ask but a
“ Continuance of the Supplies, for the Sup-
“ port of the Ordinary Establishment, which
“ it

“ it is hoped, will not exceed the Produce
 “ of the ordinary Revenue, and I recommend
 “ to you a proper Attention, *to the Reduction*
 “ *of the Public Debt.*” I am sorry there
 should be any Occasion to enforce an Ad-
 dress, with which it is so manifestly, both
 our Interest and our Duty to comply, yet
 certain it is, that we have so far neglected it,
 that a Conduct directly opposite to that here
 recommended, has already brought us to the
 Verge of Ruin, and, if continued, will plunge
 us to the Bottom. That I may not appear
 to create Evils which I do not find, I shall re-
 present the present Situation of this Country
 by a Series of Facts, too notorious not to be
 believed, and too formidable not to be feared ;
 by which it will appear that we have tamely
 and silently acquiesced in the Violation of
 these Assurances, and totally neglected this
 Advice. We have been so far from being
 relieved from the Burthen of Taxes, which,
 when they were indispensibly necessary, we
 were little able to bear, that an unexpected
 Requisition of Supplies, has been made, with
 a long Train of Pensions, which exceed the
 Expence of all other Branches of the Civil
 Establishment, by above Forty Two Thousand
 Pounds. The Number of Military Officers

encreased, not only far beyond what it has ever been in Time of Peace, but even beyond what it has ever been, during the most dangerous War: We have two more Regiments of Dragoons, and four Regiments of Foot more than ever; besides four old Regiments of Horse; the Expence of general Officers is encreased no less than Thirteen Thousand Pounds a Year, though there were not a sufficient Number of them in this Kingdom, to attend the last Reduction of Forces; the Expence of the Ordnance, is, in two Years, swelled from Ten Thousand Six Hundred Pounds, to above Forty Five Thousand Pounds, though the whole Artillery of the Kingdom is not equal to the Ordnance of a Frigate of thirty Guns; and every other Branch of the Civil and Military Establishment, is encreased nearly in the same Proportion, so that the Expence of the Nation for these two Years appears, by the most exact Calculation, to exceed its whole Revenue more than Three Hundred and Fourteen Thousand Pounds, which Deficiency being added to the National Debt, we must at the next Meeting of Parliament owe more than one Million. It appears also by Calculation, that the present Establishments in Time of Peace,

exceed the Establishments during the last War, more than Ninety Seven Thousand Pounds. Let us now, Sir, pause a Moment, and consider what we have been doing ; and how we have availed ourselves of a *Situation of Affairs which admits a considerable Diminution of the Public Expence* ; how we have fulfilled his Majesty's gracious Admonition *to attend to the Reduction of our Public Debt.*—We have granted all the Supplies that have been demanded for the Support of these Establishments, however unsuitable to the Circumstances of the Kingdom, however unsupportable to the People, however contrary to the Declarations from the Throne, however incompatible with an Attention graciously recommended from it. Let our Zeal and Affection for his Majesty be our Apology, and an unlimited Confidence in his Goodness be our Praise ; but let us at least apprize him of the Sacrifice we have made ; let us with all Humility represent the Danger we have incurred ; let us solicit his Protection, and though we have given up our all, and even more than our all, he will not keep it to our Destruction. We have read of a Prince, who, when he was fainting with Thirst, and Water was brought him at the

Risk of Life refused to drink it ; “ God forbid, said he, that I should drink the Blood of these Men ;” can we then imagine that our gracious Sovereign will drink the Blood of this Nation, that he will use a Power which he has derived from the Ardour of our Affection to our Ruin ? Our Duty both to him, and to ourselves, requires that we should at least apprize him of what we have done, that we may not be left to perish, merely because our Danger was not known, nor suffer by a Sacrifice of which the Value to us is infinite, but to him who receives it nothing ; for ultimately, his Glory and Prosperity is ours. I therefore move, “ That an humble Address be presented to his Majesty, to acknowledge, with the utmost Gratitude, his Majesty’s most gracious Acceptance of our past Services. To assure his Majesty of our firm Resolution to pursue such Measures as shall tend most to promote the real Interest and Honour of the Crown. To express the general Satisfaction and Joy, with which his Majesty’s most gracious Declarations, communicated by his Excellency the Lord Lieutenant to both Houses of Parliament, at the opening of the Session, were received, “ That by the Conclusion of a general Peace, we
were

were at length relieved from those Burthens which were unavoidable during a War. That the Situation of Public Affairs would permit a very considerable Diminution of the public Expence, that nothing was to be asked, but the Continuance of the Supplies for the Support of the ordinary Establishments, and that his Majesty thanked us for our past Efforts, without again having Recourse to the experienced Liberality of Parliament." That from these Assurances, we drew the most flattering Expectations of reducing the National Debt, and relieving the impoverished People from the Burthen of those Taxes they were so little able to bear; but that these pleasing Hopes were soon blasted, by the unexpected Requisition of Supplies, to support a Civil Establishment, loaded with a long Train of Pensions, the Amount of which, exclusive of the *French* and Military, exceeded the Expence of all the other Branches of the Civil Establishment, in the Sum of Forty Two Thousand Six Hundred and Twenty Seven Pounds, Nineteen Shillings, and Two Pence, many of which were publicly bought and sold in the Market. That the Number of Officers upon the Military Establishment is increased, not only far beyond

what it ever was in Time of Peace, but even beyond what it was in the Time of the most dangerous War, and would, under any Reign but that of his Majesty, raise just Apprehensions for the Constitution, not only of this Kingdom, but of *Great Britain*. That instead of six Regiments of Dragoons, and Twenty six of Foot, the most ever before seen in this Kingdom, there are now eight Regiments of Dragoons, and thirty of Foot, besides the Four old Regiments of Horse. That the Expence of general Officers is raised from Thirty Two Thousand Pounds in two Years, to Forty Five Thousand Pounds, though there was not a sufficient Number of them in this Kingdom to attend the last Reduction of the Forces. That the Expence of the Ordnance is swelled from Ten Thousand Six Hundred Pounds in two Years, to Forty Five Thousand and Seventy Pounds, independent of its extraordinary Charges, which are very considerable ; though the whole Artillery of this Kingdom is not equal to the Ordnance of one of his Majesty's Ships of War of thirty Guns. That every other Branch of the Military and Civil Establishments are advanced nearly in the same Proportion. That from Principles of Duty and Affection to his Majesty

jeſty, we granted the Supplies which were demanded from us, in his Maſteſty's Name, for the Support of theſe ſeveral Eſtabliſhments; however unſuitable to the Circumſtances of the Kingdom, however inſupportable to the People. But though the Warmth of our Zeal and Affection for his Maſteſty, induced us thus liberally to grant thoſe Supplies, our Duty to him, and thoſe we repreſent, will not permit us to conceal from his Maſteſty, or the Public, the real State and Condition of this Kingdom, which we ſhall lay before his Maſteſty, with all Humility, and caſt ourſelves at his Maſteſty's Feet, to implore his Royal Protection againſt his Miniſters. That the Expence of the preſent Military Eſtabliſhment amounts in two Years, to the Sum of Nine Hundred and Eighty Thouſand, Three Hundred and Fifty Five Pounds, Nineteen Shillings. The Civil Eſtabliſhment to Two Hundred and Forty Two Thouſand, Nine Hundred and Fifty Six Pounds, Ten Shillings, and Nine Pence, to which muſt be added, at the moſt moderate Computation, Three Hundred Thouſand Pounds, for the extraordinary and contingent Expences of Government: That theſe Sums added together, amount to the Sum of One Million, Five Hun-

dred and Twenty Three Thousand, Three Hundred and Twelve Pounds, Nine Shillings, and Nine Pence. That to answer this Expence, the whole Revenue of the Kingdom, the Additional, as well as Hereditary Duties, exclusive of the Loan Duties, which are but barely sufficient to pay the Interest of Six Hundred and Fifty Thousand Pounds, the present National Debt, amount to the Sum of One Million, Two Hundred and Nine Thousand, and Sixty Four Pounds, at a Medium, for fourteen Years ; so that the Expence of the Nation for these two Years, must exceed its whole Revenue in a Sum of Three Hundred and Fourteen Thousand, Two Hundred and Forty Eight Pounds, Nine Shillings and Nine Pence, which Deficiency being added to the National Debt, must leave this Kingdom, at the next Meeting of Parliament, near One Million in Debt. That the highest Establishments we ever had in Time of Peace in this Kingdom, were those in the two Years ending in *March* 1755, and yet the present Establishments exceed them in the Sum of Two Hundred and Eighty Three Thousand and Twenty Eight Pounds, Nine Shillings, and Nine Pence. That during the late expensive War, the Establishments amounted, at

a Medium, only to the Sum of One Million, One Hundred and Twenty Five Thousand, Seven Hundred and Ninety Pounds, for two Years; so that the present Establishments, in the Time of Peace, exceed the Establishments, in the last War, in the Sum of Ninety Seven Thousand, Five Hundred and Twenty Two Pounds, Nine Shillings, and Nine Pence. That we have already contracted a new Debt of One Hundred Thousand Pounds, though we expected to have discharged Part of the Old. That the Imports, Exports, and Home Consumption of this Kingdom are already taxed, to the utmost they can bear. That any Addition to these Taxes, instead of increasing, must lessen the Revenue. That Nothing now remains to be taxed but our Lands, which are already loaded with Quit-Rents, Crown-Rents, Composition Rents, and Hearth Money. That if the present Establishments are to be continued, the Debt of the Nation must constantly increase, and in the End prove the utter Ruin of the Kingdom. That such is the true, but melancholy State of this Country, which nothing but his Majesty's most gracious Declarations, signified to us by his Excellency the Lord Lieutenant, could have given us Confidence to have laid before him

him, and which we do, that his Majesty may judge how far his most benevolent Intentions have been pursued. That we presume not to point out any particular Method of Redress; fully persuaded as we are, that when his Majesty shall have been thus fully informed of our real Circumstances, his Wisdom, his Justice, his Humanity, will not permit the utter Ruin of a Dutiful, a Loyal, an Affectionate People."

And the previous Question being put, that the Question be now put,

It passed in the Negative.

Mr M— P—.

Mr S —,

I most sincerely congratulate my honourable Friend, Sir, in the Enjoyment of that Comfort which the World can neither give nor take away; that Reward of his Virtue, the Consciousness of good Intentions to his Country, by which he has distinguished himself during the Course of this Session, with a Uniformity of Principle, and Consistency of Conduct, which, I am persuaded, will
never

never be forgotten. The Joy of his Heart does, indeed, shine forth in his Face ; I dare say every Gentleman present must have observed a Smile of ineffable Gayety in his Countenance, upon certain Occasions, for I have remarked that his Hillarity is contagious : He is not only merry in himself, but he is the Cause that Mirth is in other Men : His Influence is irresistible, for what else could have betrayed this House into Laughter, while they were listening to the dreadful Truths that are contained in his Address ? The Fascination does, indeed, work so strongly upon me, that I can scarce believe the Address itself to be serious. The more I consider it, the more it appears to be a Jest ; for how can we suppose him seriously to propose a Measure totally inconsistent with the Rules of Parliament, and directly opposite to the whole Tenor of our Proceedings ? We have concurred in a Civil and Military Establishment, by granting Supplies for their Support : We concurred in them coolly and deliberately, after much Debate, in which the State of the Country was sufficiently canvassed, and, with the Sanction of a very large Majority ; and can any Man seriously propose that we should declare, in a formal Address

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to his Majesty, that, after all this Consideration and Debate, we determined upon the Ruin of our Country? What Reason, or what Colour of Reason is there for us thus to charge ourselves at once with Guilt and Folly, with betraying both our Trust and our Interest, and to beseech his Majesty to find out some Method of counteracting all that we have been doing? Is this acting like the great Council of the Nation, appointed to direct its Conduct, and watch over its Interests? And if we thus bring Disgrace upon ourselves, can we think that his Majesty will suffer his own Measures to be contaminated by our Folly? Will he disapprove an Establishment which was settled by his Ministers, approved by himself, and, afterwards, confirmed by Parliament? This, I think, no Man that has not given up all Pretensions to common Sense can suppose; for what End, therefore, shall we spread the Gloom of Discontent and Despondency over the Minds of the People, subvert Public Credit, quench the Ardor of Improvement, and restrain the Activity of Commerce? We are now to profit by the Arts of Peace, and if we improve the Advantages that a successful War has put into our Hands, we shall be abundantly able to fulfill all our

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Engagements, with Honour to ourselves, and Advantage to our Country. I will not deny that our Establishments amount to a larger Sum than they did forty Years ago, but I deny that this Sum is greater, in Proportion to our present improved State, and the decreased Value of Money ; and, if so, as we have new Regiments, and a greater Number of Officers, we procure these Advantages at an easier Rate than we could procure them then, for the Expence, relatively considered, being equal, what is procured with it now more than what was procured with it then, is clear Gain. It has, indeed, been insinuated, that the Additions which have been made to our Establishments are unnecessary ; but nothing has been advanced to prove it : It has been presumed, that they are unnecessary, merely from their being new, and it has been hastily taken for granted, that the utmost for which we were formerly able to provide, was the utmost that was necessary ; whereas the Truth is, that what is now done was always necessary, but that when we were able to do it but in Part, we were not required to do the whole ; and it would be a very bad Requit for the kind Attention of Government, to refuse to provide for what is necessary, now we
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are able, because we were not required to do it when we were not able. If we look into our old Chronicles, we shall find that there was a Time when a whole Sheep cost no more than we now pay for a Leg of Mutton, but it does not, therefore, follow, that Meat is now dearer than it was then : If a Sheep was bought for a twentieth Part of its present Cost, we must remember that it was also sold for a twentieth Part of what it now fetches, and that the Farmer made that twentieth Part go as far as our modern Farmers do the whole ; as the Seller, therefore, was not worse off, neither was the Buyer better ; and he that was then taxed one Shilling for the Service of the State, paid as much as he that is now taxed twenty : It is, indeed, true, that this Difference in the Value of Money, does not make pecuniary Ability either greater or less, but, besides, that the Value of Money is decreased, our Commerce and Trade are encreased, as well as the real Value of our Estates : That our Commerce is encreased needs no other Proof than the Decrease of the Value of Money, for nothing can decrease the Value of Money, but an Increase in its Quantity ; and for the increased Value of our Estates, I appeal to every Land-Holder that
hears

hears me. The Value of Estates, Sir, is known to have been doubled within the last thirty Years, which is much more than in Proportion to the Difference of the Value of Money. We have, indeed, presumed upon our Prosperity in one Part of our Proceedings, as much as we have pleaded Poverty in another; we have granted enormous Sums for private Purposes, though we pretend we have nothing to give for the Support of Government: Let this Inconsistence be added to all the other Inconsistencies which result from the Address now proposed. Let me now observe, that I have hitherto taken the Calculations that have been made of our present Expences, for granted, and that my Arguments against the Address do not at all depend upon their being erroneous. Yet I cannot help taking Notice that the Assertion with Respect to our Ordnance is wholly unsupported by Evidence, and is, in itself, improbable in the highest Degree. I must not, however, trespass farther upon the Time of this House, by treating seriously a Subject which I cannot persuade myself the honourable Gentleman himself, who proposed it, intended should be seriously treated; and shall, therefore, beg leave to move for the previous Question.

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The previous Question being accordingly put, it passed in the Negative, 130 against 48.

Mr *H—F—* then said, that as the Time, and, perhaps, something in the Manner of the Resolution which had been just proposed and rejected, might render it exceptionable, he begged leave to move, that a Committee of the whole House be appointed to draw up an Address to his Majesty on the State of the Nation.

The H—ble Mr *B—M—* said, that he thought it very unprecedented to propose a Committee for preparing an Address upon the State of the Nation, before a Committee had been appointed to enquire into the State of the Nation, for that the Calculation of a particular Gentleman could not, on such an Occasion, be taken for granted ; according to this Calculation, says he, we have been told, that the present Peace Establishment is more expensive than the Establishment during the War ; but the Truth is, that the Establishment of the two last Years exceeded the present Establishment no less than Two Hundred
Thousand

Thousand Pounds, for this Reason, among others, he declared himself against the Motion,

Mr E— S— P—.

Mr S—,

Since the Address, which I have proposed, has been thought improper, I do not see what we can do better than appoint a Committee to draw up one which is not liable to the same Objections : There are, certainly, sufficient Materials for the Foundation of such an Address before the House ; for what I have asserted, with Respect to the State of the Nation, has been taken from the Journals of the House, and the Papers that lie upon the Table, which every Gentleman may consult whenever he pleases. As to my own Calculations, they may be confirmed, or refuted, at a very small Expence both of Time and Trouble ; at present they stand unimpeached, and, though some Gentlemen seem willing to doubt them, they have not been contradicted. One Gentleman, indeed, has said that the Expence of the Establishment, for the last two Years, exceeds that of the present Establishment 200,000 *l.* and he has inferred, that I am mis-

taken in affirming that the Peace Establishment now fixed, exceeds the Establishment during the War. This Inference, however, does not result from his Premisses, for, taking the Expence of each Year, during the last War, at a Medium, the present Establishment does exceed such Medium more than 97,000*l.* and the Computation, by a Medium, is certainly the only fair Computation. There is another Particular, in my Favour, which, I hope, I shall be excused for mentioning; Gentlemen, in their Reply, have thought fit to substitute Declamation for Argument, and, instead of giving a serious Answer, have affected to believe that a serious Answer was not expected. The honourable Gentleman on the Bench, in the same Line with me, has thought fit to insinuate, that I had, in a frolicsome Mood, thrown out a Subject of mere Amusement to the House, that I had only furnished a Tub for a Whale, and that I was secretly laughing at my own Jest, when I displayed the melancholy Situation of my Country, by stating incontrovertible Facts. If, upon such Occasions, Men may be supposed to be merry, I know not on what Occasion they may be sad. Our paying 45,000*l.* a Year for the Support of an Artillery less than
that

that of a thirty Gun Ship, is, indeed, in itself, a ridiculous Absurdity, but, with Respect to us, nothing, surely, can be more serious. There was something ridiculous in the Ideot's cutting off the Man's Head, whom he saw sleeping, that he might enjoy the Confusion he supposed he would be in when he should awake and miss it, but to the unhappy Sufferer it was certainly no Jest; and even the By-Stander that could have laughed upon the Occasion, would, I believe, have got no Credit by his Mirth. But, at the same Time that I have been charged with a Design to make Gentlemen merry, I have been also censured for endeavouring to make them sad: Contradictions are blended that I may be condemned: My Mirth is this Moment said to be contagious, and the next Moment I am charged with spreading the Glooms of Discontent and Despondency over the Minds of the People. As to these Charges, I need not say that both cannot be true; the Charge of being merry, I have confuted already, and the other, though I admit, I can certainly justify. If the Public are thoughtful and melancholly only in Proportion as they have Cause to be so, I do not see why we should wish them to be otherwise: It is not, surely, desirable that they should

either be ignorant of their Misfortunes, or insensible to them, for, in either Case, there can be no Hope of their concurring in any Measure to remove them, or making any Preparation to sustain them, supposing them to be inevitable. If the Affairs of the Public are in a better State than is apprehended, our Apprehensions can do us no Harm; but, if they are in a worse State, the Mistake may be fatal. At all Events, no good Purpose can be answered by keeping the Knowledge of any Facts that are incontestibly true, either from his Majesty, or from the Nation; and, therefore, I most earnestly recommend the finding some proper Method of at least communicating them to his Majesty, in the most submissive and respectful Manner.

Sir W— O—,

Mr S—,

Whatever may be my Opinion of the Motion that was made by the honourable Gentleman who sits on the opposite Bench, I shall most heartily concur in the subsequent Motion that has been made by the honourable Gentleman on the Floor, whose Steadiness and Uniformity of Conduct give a Sanction to his
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Proposals, and a Confidence in his Professions. Uniformity of Conduct is a Proof of Integrity, and there is no Reason to suspect him of prostituting his Parts to private Purposes, under the specious Appearance of Patriotism and Public-Spirit, who steadily opposes the destructive Projects of Jobbers, and the Friends of Jobbers, whether they affect in general to shew their Oratory for the Court, or against it. Mere Opposition to Government is, surely, of itself, no Proof of Public-Spirit ; though it is the only Proof that some Pretenders to Public-Spirit have given to support their Claim, and, I am sorry to say, it has been too readily and too generally admitted. There is a Kind of native Pride in Man, which is gratified by opposing Power, without considering how it is exerted, and which is ever ready to infer the Abuse from the mere Possession of it. Designing Men, therefore, have always endeavoured to recommend themselves to popular Assemblies by this Artifice, and by a restless and talkative Officiousness, some have wringled themselves to the Head of a Party, and affected to take the Lead against Encroachments upon Public Property, attempted by others, only that they might encroach upon Public Property themselves ; and have done

the dirty Work of a petty Cabal, at the Expence of the Nation, while they made the Cause of the Nation a Pretence for clogging the Wheels of Government, and embarrassing the Administration. To oppose the Measures of those who are appointed to administer Government, is laudable only in Proportion as those Measures are calculated rather for the Advantage of the few than the many, and those are the worst Enemies to their Country who sacrifice her Interest to the most inconsiderable Part, without so much as the Colour of legal Authority, either supreme or delegated. They are mischievous, whether their Disguise succeeds, or is detected; if it succeeds, they frequently foment causeless Faction and Discontent, and enrich themselves and their Junto, by the Abuse of the Power which they acquire from so infamous a Practice: If they are detected, an Opposition to Court Measures, when they happen to be pernicious, is with too much Plausibility imputed to the same Principles, by those who adopt the Measures of a Court merely because they have Connexions with it. By this Means the Views and the Friends of the true Patriot are discredited and defeated; and a corrupt Minister is able to set Opposition at Defiance, in

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consequence of his having been opposed by Men of corrupt Principles. It is, however, fit that these mock Patriots should be detected, and if we were to watch the Conduct of Pretenders to Public Spirit, with a fixed and penetrating Eye, we should detect them Time enough to prevent the Mischief both of their Practice and their Example. If we see a Man one Day zealously proposing a Resolution of this House, and the next clamorously urging that such Resolution ought not to be kept; if we see him now voting that no Money should be granted for a particular Purpose, and the next soliciting Money for that very Purpose, with all the Zeal of a Partisan, jealous of his Influence; if we hear him now loud for preserving the Constitution inviolate, and the next Day equally vociferous for raising Money in an unconstitutional Manner, and for a Purpose which had been precluded, even by his own Resolution; let us at once treat him with the Contempt that he deserves, and let him be rejected alike by both Parties, if they do not wish to be contaminated with his Principles, and involved in his Disgrace. Much has been said, and with great Truth, of the Distress of this Country, but I think the most melancholy Considerati-

on of all is, that she is in the Hands of two opposite Parties, who are equally desirous of making her their Prey, and who quarrel only about dividing the Spoil; but whatever we may do with Respect to the Royal Bounty, we ought not, surely, to suffer our Money to be squandered by a private Hand, or concur, contrary to our Interest, and contrary to our Resolution, in Projects for accommodating or enriching particular Persons, Persons who have no Merit but the being Friends or Neighbours of some Party Leader, who does Mischief, that he may be rewarded with the Power of doing more, and who, that his Country may be quite bald, is very industriously plucking off the black Hairs, while the Party he opposes is equally diligent in plucking off the white. Upon the whole, as I shall naturally suspect every Measure that is proposed by Persons who have rendered their Integrity suspicious, by an Inconsistency of Conduct which can be reducible to no Principle but Self-Interest, so I shall always think those Measures worthy of Attention at least, that are recommended by Gentlemen who have acted with Steadiness and Uniformity in the Service of their Country, and whose Enquiry, with Respect to every Question, seems not to be from
what

what Party it comes, but what is its Tendency; and, therefore, though I shall give my Vote against the Motion for the Address that has been read to this House, I shall give it for the Motion, that a Committee be appointed to consider of another.

Mr *E—S—P—* made a short Reply, in which, he observed that nothing was more easy, or more popular, than to declaim upon false Patriotism as a general Topic; that he had as bad an Opinion of false Patriots as the Honourable Gentleman who had so zealously exposed their pernicious Principles and Practices; but that, as to any supposed Application of this general Censure to himself, he could only despise it, as it was below his Indignation; that he was very indifferent with Respect to the Opinion that others might entertain of his Conduct and Principles; that he had never voted for the Application of Money, where he did not think the Public Interest required it, and that he had no otherwise excited Discontent, than by truly stating the Situation of his Country, which he thought it his Duty to do, and that it was every Man's Duty to consider it at so critical a Juncture.

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The previous Question being then put upon Mr P—'s Motion, it passed in the Negative.

The Question being then put, on Mr F—'s Motion, it passed in the Negative, 126 to 54.

MONDAY, *Dec. 19, 1763.*

FORTIETH DAY.

THE R—t H—ble Lord S—, said, that he intended to make a Motion, which he conceived to be of very great Consequence, on the next Day, and he mentioned it with a View that Gentlemen might attend.

Dr C— L— said, that it was always usual, when a Motion of Consequence was intended, to acquaint Gentlemen with the Purport of it, that they might make it the Subject of their Consideration, and act accordingly.

Lord

Lord S— then said, that the Subject of his intended Motion was an Address to his Majesty.

Dr L— replied, that as the R—t H—ble Lord was distinguished by the greatest Candour, as well as Loyalty, he made no doubt but that he would acquaint the House with the Tendency of the Address, which might reasonably be expected, as the Notice given was so short, and that the House had a right to this Information.

Mr J— G—, the S. G. said, that the Member who intended to make the Motion, had a right to determine, whether the Information required was proper or not; and that an Explanation of what was intended, would in Fact, be making the Motion, instead of informing the House, that a Motion was intended to be made; he added, that an honourable Gentleman behind him, (meaning Mr E— S— P—,) had, during the Sessions frequently acquainted the House, that he intended to make a Motion, without telling the Purport of it.

Dr L— then acquiesced.

TUESDAY, Dec. 20, 1763.

FORTY-FIRST DAY.

Lord S——.

Mr S——,

I Think the Situation of Affairs, at this critical Juncture, both in *Great Britain*, and in this Kingdom, calls upon us, in a particular Manner, both to express our Duty and Loyalty to the best of Sovereigns, and to represent, in the strongest Terms, our utter Abhorrence and Detestation of the late seditious and treasonable Libels, that have been maliciously propagated, by designing and wicked Men, to inflame the Minds of the People, and weaken their Attachment to Government, in order to accomplish their own iniquitous, and self-interested Purposes. I am also of Opinion, Sir, that the House should take this Opportunity to express its Approbation of the Measures which his Majesty has pursued for the Benefit of his Subjects in general, and particularly to acknowledge his

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paternal Attention to this Country, in sending over a chief Governor so eminently distinguished for every Qualification that is either Meritorious or Amiable. I, therefore, beg leave to propose an Address for that Purpose.

His Lordship then made his Motion in form, including the Substance of the Address proposed, which was as follows :

“ That an humble Address be presented to his Majesty, desiring Leave to renew our unfeigned Professions of the most zealous and affectionate Attachment to his Majesty’s Royal Person and Government, which this House has been, on all Occasions, forward to express; and has, we trust, been manifested by its Conduct. Humbly to assure his Majesty, that we now think ourselves, in a very particular Manner, called upon to make the most solemn and public Declarations of our inviolable Duty and Attachment to his Majesty, when the most infamous and flagitious Libels have been published and circulated through his Majesty’s Kingdom, filled with the grossest Insults on his Majesty’s Sacred Person, and Royal Authority, violating every Rule of Decency, Order, and Government,
and

and tending to stir up, through all Ranks of his Majesty's Subjects, a Spirit of Discontent and of Disobedience to their Prince, the Laws, and the Constitution. That as these audacious and outrageous Attempts have been deemed fitting Objects for the just and exemplary Censure of the Legislature of *Great Britain*, we think it cannot be unseasonable, and we hope it will not be unacceptable to his Majesty, that we also express our utter Detestation and Abhorrence of such insolent and wicked Practices: And that we beg Leave, at the same Time, humbly to assure his Majesty, that these Sentiments proceed, not only from those Principles of Duty, by which we are bound as Subjects, but from the most cordial Affection and Reverence for those respectable and amiable Virtues, which are the Objects of Love and Admiration of all his People. That we therefore intreat his Majesty, graciously to receive these Declarations from us; that we are fully sensible of the many and great Blessings we enjoy under his Majesty's mild and auspicious Reign; that we are truly thankful to his Majesty for the Honourable and advantageous Peace, which his Majesty, through his great Wisdom and paternal Con-

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cern for his Subjects hath happily concluded for the Benefit of his Kingdoms ; that it is our firm and unalterable Resolution, to support the Dignity and Authority of his Majesty's Government, wheresoever our Influence can extend, against all who shall presume to disturb it ; and that it is our most sincere and ardent Wish, that his Majesty may reign through a long Course of Years, blessed with the Increase of every Public and Domestic Felicity, and supported by the unanimous Voice of all his Subjects. To assure his Majesty that we are fully sensible it is of the utmost Consequence to us, who by our Situation must be deprived of his Majesty's immediate Influence, That his Majesty's Royal Power should be delegated to Persons sensible of the Importance of that high Trust, and by their Capacity, Probity, and Moderation, fitted for the Execution of it. And that we cannot omit this Occasion of assuring his Majesty, that the Rights and Dignity of the Crown can never be more faithfully maintained, nor more honourably supported, nor the Administration of his Majesty's Government, carried on upon Principles more agreeable to the Constitution, nor in a Manner more entirely acceptable and satisfactory

610 *Debates relative to the* [DAY XLI.
to the People, than by the Hands of the Earl
of *Northumberland*.”

His Lordship then delivering in a Copy of
his Motion, it was again read, first by the
Speaker, and then by the Clerk.

Sir *W— O—*.

Mr *S—*,

The noble Lord, has, I think, in the ex-
cellent Address, which he now presents for the
Concurrence of this House, expressed the
Sentiments of a loyal and dutiful People, on
the present Situation of Affairs, with so much
Force and Propriety, that all Attempts to
support it are precluded. I am persuaded,
that this House will chearfully and zealously
join in a loyal and dutiful Expression of their
Attachment to the Sacred Person of our most
amiable and truly *British* and Protestant
Prince, and in a grateful Acknowledgement
of the Blessings they enjoy, under his most
auspicious Government. Individuals, indeed,
there are, in every Nation, who call “ Good
Evil, and Evil Good,” who, as the Shadow
deepens in the strongest Light, become most

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malignant under the benigneſt Influence, and moſt depreciate that Character which is moſt oppoſite to their own. It is one Part of our Duty to bring Light out of this Darkneſs, and from this Evil, as the Delegate of Providence, to produce Good; we ſhould improve their cauſeleſs Diſaffection into an Occaſion of publicly expreſſing our own well grounded Attachment, and declaring to the World the lively Senſibility we have of the diſtinguiſhed Virtues of our Monarch, and the wiſe and juſt Meaſures of his Government. Of this Duty we have a fair Example in the Parliament of *England*, where the Virulence of a deteſted and contemptible Faction has produced the warmeſt Profeſſions of Affection and Duty, of Gratitude and Confidence, from the legal Representatives of a favoured and happy People. I know that there are Grievances, with Reſpect to this Country, of which we have Reaſon to complain; but it ſhould be conſidered, that although his Maſteſty came to the Throne in the Glory of Conqueſt, yet he came alſo into the Tumult of War: War, however ſucceſſful, is always a State of Difficulty and Diſtreſs, of multifarious Attention, and enormous Expence; his Maſteſty had alſo Difficulties of another Kind to ſurmount

at the same Time ; and while a formidable Enemy was to be brought to Reason abroad, discontented Nobles were to be reconciled at home. In this Situation he had not Leisure, I had almost said, in this Situation he had not Power, to bring the Conduct of all his Servants to the Test of his own Integrity, or to correct, or restrain the Misapplication of Power, at the Head of every Department ; it cannot, therefore, be the Subject, either of Wonder, or of Reproach, that some Grievances should as yet be unredressed, particularly that of the Pensions, and the unnecessary Employments in the Civil List, Articles in which a Minister is most likely to abuse his Influence, because they are of a pecuniary Kind, and in which a Prince is least likely to concur, because they add nothing to his Prerogative ; we may, however, rejoice in the Reflection, that the Time is now come when he will be perfectly at Liberty to indulge his Inclination, which has ever been to give Happiness to his People ; the Time is also now come, when we are delivered from the fatal Necessity of sending out our Countrymen by Thousands and Ten Thousands, from Provinces but half peopled to purchase Conquest with Life ; Conquest from
which

which this Part of the *British* Dominion can reap no Advantage adequate to the Cost ; for no Acquisition of foreign Territory can atone for the Depopulation of our native Country, especially as the mis-judging Jealousy of a Sister Nation, precludes us from many commercial Benefits, which we might otherwise share with her ; we have bled to fertilize another Soil “ *Sic nos non vobis melificates apes.*” Peace, therefore, is a Benefit to us, merely as a Cessation from War, and there is great Reason to hope that the Benevolence of our gracious Sovereign, under the Guidance of his Royal Wisdom, will improve the Blessings of Peace upon a larger Plan, and take off some of those Restraints which, though immediately they injure us only, do yet ultimately injure *Great Britain* ; there is certainly, therefore, sufficient Reason for that Part of the Address which relates more directly to his Majesty, and as to the latter Part which relates to the Lord Lieutenant, I am sure there is not a Gentleman in the House whose Heart does not anticipate whatever I could say of its Propriety.

Mr W— B——w.

Mr S—,

I believe it is unnecessary for me to declare that there is no Person in this House who has a stronger Attachment to his Majesty's Person and Government than myself, or is more willing to take every proper Opportunity of expressing it in the strongest and most explicit Terms; I shall, therefore, take the Liberty to say, without Scruple or Apology, that I am against the Address now proposed. It is, in the first Place, I think, altogether unnecessary, and, in the next Place, by no Means calculated to answer the good Purposes, which, I am sure, the noble Lord who proposed it had in his View. As to the detestable and and traiterous Libels which have been so industriously propagated, and dispersed in *England*, they have already met with the Fate they deserved; they have been burnt by the Hangman, and I hope forgotten; to rake their Ashes together, and revive their Memory, even in the Country where they might be supposed to have had some Influence, would, I think, be imprudent upon every Account; it would give them an Air of Im-
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portance, which they could no otherwise acquire, and might spread the Knowledge of them where they would not otherwise be known; but to take a public Notice of them in this Country, where they were neither produced nor encouraged, with which they had not the least Concern, nor are pretended to have had the least Influence, would be an Absurdity most strange and unaccountable; why should we disavow what never was imputed to us; or disclaim the seditious Declamations of a Faction, which, I dare say, scarce any of us have ever read? That we are hitherto considered as wholly unacquainted with them in our public Capacity is certain, for, in our public Capacity, we have never received the least Hint that any such Libels existed, much less have any of them been laid before us. How then can we say that we are called upon to disapprove them in a solemn Address? Who or what is it that calls upon us? How is it become either necessary or expedient? If the Address is intended to represent us as taking Part in the Divisions among the Nobility, which still subsist in *England*, it is, in my Opinion, intended for a very bad Purpose; it is intended to make us Reason and Address upon a Sub-

ject which it is impossible we should understand. Besides, we may incline to either Side in the Disputes, between those who are in Power, and those who wish to be so, and yet be most firmly attached to his Majesty's Person and Government, and to the Constitutional Interest of our Sister Country. Some may possibly think that the Affairs of the Nation are but ill conducted by the present Ministry, and may wish that the great Abilities, and unshaken Integrity of a *P—tt*, the profound Knowledge, Sagacity, and Experience of a *L—gge*, and the noble, loyal, and persevering Spirit of a *D—re*, should be employed for the Benefit and the Honour of their Country; and what, Sir, have we to do with that? God forbid, that we should suppose the Disapprobation of a Minister that is in Power, or a Regard for the Virtues of a Minister that is out, should be construed into a Disaffection to his Majesty's Person and Government, or a want of Attention to the public Interest. It is, I think, both our Duty and our Interest to keep wholly clear of these Disputes, and not even to hint at them by the most distant Allusion: Let our Attention be wholly turned to the Guidance of our own little Bark, which, at this Time, requires our
utmost

utmost Efforts to steer with Safety and Success, and do not let us waste our Strength in unavailing Efforts, to direct the Course of a magnificent, but unwieldy Vessel, whose Helm we shall never be suffered to approach. As to the Peace, I think we should be guilty of the grossest Impropriety to say any thing about it; neither this House, nor any Member of it, was once consulted upon the Subject, concerning which this whole Nation was less informed than an *English* Borough, whose Representatives had the Preliminaries before them, and sat in Judgment not only upon them, but upon the Definitive Treaty. What we think of the Peace now it is made, is best kept to ourselves, for the declaring it can answer no End; a favourable Opinion, indeed, will be wholly contrary to our Experience, and we have nothing but Experience to found our Opinion upon. Our Expences are as great since the Conclusion of this Peace, which, we are made to say is Honourable and Advantageous, as they were during the War, which was universally allowed to be Burthensome and Expensive: Our Public Debt considerably encreases, the Produce of the Revenue has fallen short no less than Forty Thousand Pounds, and the Honourable Gentleman, who spoke last, has told us that, in other Respects, we cannot

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hope to profit by the Peace, because the Jealousy of a Sister Country has laid fatal Restrictions upon our Trade; upon what Evidence then, Sir, are we to pronounce this Peace to be Honourable and Advantageous? are we to call it Honourable and Advantageous, without experiencing either the one or the other, merely, because it is intimated to us that we should call it so to compliment those who made it? As to the Complement to our Lord Lieutenant, I have not the least Objection to that; it has been a Custom always to complement our chief Governor, and, I am persuaded, the noble Lord who now fills that Post, deserves it as well as any of his Predecessors have ever done.

Mr E— S— P—,

Mr S—,

I am sure, Sir, we shall all of us acquit the young Nobleman, who has introduced this Address, of any other Design than that of expressing his Loyalty and Attachment to his Sovereign, for he can never be suspected of having had any Hand in the artful Composition of this Piece, which smells strong of the Lamp, and is distinguished by a
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very remarkable Choice of Words, and Arrangement of Sentiment. It is manifestly the Work of one hackneyed in Ministerial Wiles who has a Point to carry, which he wishes to keep out of Sight; and exerts all his Art to effect one Purpose under the Appearance of another. His real View is to procure a public Approbation of the Peace, but he affects to do that only as an Appendage to a public Disapprobation of certain Libels, which have been written, and propagated, and talked of, and burnt, on the other Side of the Water. It is, indeed, to the Honour at least of his Cunning, that he supposed some Management would be necessary to obtain a public and solemn Approbation of a Peace, which has, in every Particular, been the most Dishonourable and Disadvantageous that ever disgraced the Annals of *Britain*, since Peace has been recorded; a Peace clandestinely and abruptly made, with no other View than to continue the Power; and to hide the Inability of those whose Vanity and Ambition were without Bounds; an Inability of which they were secretly conscious; they felt themselves unequal to the arduous, but glorious Task of continuing the War, with the Spirit and Suc-

cess which had distinguished it under other Hands, and they knew that their Credit would never enable them to raise Supplies necessary even for the Experiment ; their only Chance, therefore, to continue in Power, was to have little to do, and, with this View, they hastily huddled up a Peace at any Rate, hoping, that as all Colours fade alike in the dark, all Powers would appear equal in a State of Inactivity, and that they should quietly reap the Fruit of an uncommon Influence, which had procured the Dismissal of the greatest and most distinguished Minister that any Age or Country has produced ; a Minister who, when we were sunk into the lowest Contempt, by the Delay, Irresolution, and Inconsistency that are essential to Folly and Guilt, raised us, by the diffusive Influence of his Spirit, Firmness, Wisdom, and Integrity, to a Pitch of Glory scarce equalled by any other Nation, and never exceeded even by our own. How ill this fatal Policy succeeded with Respect to its Authors I shall not enquire ; how disadvantageous it proved to the Public is sufficiently known ; and whatever we may now be prompted to say, it is manifest that we thought of it as
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it deserved ; for though the Peace was represented in a very advantageous Light, in his Majesty's Speech, and though it has been an almost universal Practice, to eccho back every Sentence from the Throne, yet, in our Address, we were totally silent on that Article, and were content not to condemn what we could not approve. I should be glad to know what has since happened that could reasonably change our Opinion ; whether our Opinion is changed without Reason ; or whether we are to make a Declaration that is contrary to our Opinion. Are we to concur in this Address implicitly, at the good Pleasure of those who consider us at their beck ? I do not mean our chief Governor, far be it from me to impute so dishonourable a Conduct to him. I mean a tottering Ministry, who, perhaps, imagine they may stand a Day longer, if they can bring this Country to prostitute its Honour, by professing to approve a favourite Measure, which they are conscious it condemns. It is, indeed, not improbable, that the late Convulsion which this Ministry suffered, and the Change that has happened in it, may be the Cause of our being now urged to do what we did not do,

do, upon the Speech from the Throne ; but I hope this Legislative Body will have more Regard to its own Dignity, than voluntarily to sink into the insignificant State of an *English* Borough, whose Chieftain can, by holding up his Finger, make them echo his own Voice, and present whatever Address he shall think fit to dictate. As the noble Lord, who introduced this Address, did not acquaint us with the Purport of it till to Day, as we have never had any Papers relative to it laid before us, and as the Approbation of this House, with Respect to a great National Measure, should not be given hastily, but with Deliberation, and in a Manner that suits with the Dignity of the House, and will give Weight to the Approbation itself, I humbly move, That the Consideration of the Motion for this Address, may be deferred till the first *Monday* after the Recess. To that Part of it, which relates to the Lord Lieutenant, I can have no Objection ; neither have I any Objection to the Part which relates to the Libels, except that it is a mere Introduction to what is said about the Peace, and is, in itself, unnecessary, with Respect to this Country : Upon a proper Occasion
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I would gladly concur in expressing the strongest Disapprobation of such Proceedings.

The R—t H—ble F— A—.

Mr S—,

The Objections that have been made to the Address, by the honourable Gentleman who spoke last, are so multifarious, that it is no easy Matter to reduce them to Order ; this, however, I shall attempt, that none of them may escape unanswered, and, if remembered, be therefore supposed unanswerable ; We have been told, that this Country having nothing to do with treasonable Libels, by which its Sovereign is insulted, and his Government violated, these Libels are mentioned in the Address only to introduce an Approbation of the Peace : That the Peace is the worst that ever was made ; that it was clandestinely huddled up in a Hurry ; that it was so huddled up by those who wished only to hide an Inability to which they themselves were conscious, and to continue a Power which they could not deserve : That the Address, if proper in itself, is now ill-timed ; because, having been neglected hitherto, it ought, for that Reason, to be neglected still. Such are the Ob-

Objections against the Address now proposed, and, though I think a mere Recapitulation sufficiently shews their Futility, yet I shall endeavour to give a particular Answer to each. That we are concerned in the Libels which “insult his Majesty’s sacred Person and Authority, and violate every Rule of Decency, Order and Government,” is as manifest as that we are Part of his Majesty’s Dominions; for whose Sake ought his Person and Authority to be kept sacred, and his Government inviolate, if not for ours, who are under the Protection of that Authority, and the Guidance of that Government? Have we no Concern in the general Security and Prosperity of his Majesty’s Kingdoms, because we are not immediately under his Eye, or Candidates for his personal Favour? I have heard of a Man who, in a Storm at Sea, when every Body else were exerting themselves to the utmost to save the Vessel, sat, with great Composure, in a Nook, where he could keep himself steady; and being reproached with his Unconcern, and told that the Ship was in extreme Danger, replied, with a Smile, and a significant Shake of the Head, “Aye, but I am only a Passenger.” I confess, Sir, I never considered this Person as a Pattern, either for his Bene-

violence or his Wisdom, much less did I imagine he would have been thought worthy of Imitation in this House: Yet those most exactly adopt his Principles, and imitate his Conduct, who advise us to take no Notice of the Enormities that have been committed, by a seditious and traiterous Faction, against the Government under which we enjoy the Benefits of Civil Society, because they happen to be committed in another Part of his Majesty's Dominions. What signifies where a House begins to burn to him that has any Thing valuable under its Roof? whether the Mischief took rise in his own Apartment, or another, it is equally his Interest to oppose it. To pursue the Allegory; would it not be ridiculous to suppose that a Man would refuse to move his Goods, when he heard the Fire snapping in the next Room, because he had not Notice, in Writing, that the House was on Fire? and is it not equally ridiculous in us to refuse to take proper Notice of a Fact so notorious and pernicious as the Publication of the Libels in Question, because it has not been communicated to us in Form? Those who pretend we are ignorant of this Fact, forget that it has been taken Notice of by the House of Commons in *England*, which, alone

lone, would render it both certain and notorious, supposing the Libels themselves never to have had a single Reader on this Side of the Water. The Mention of these Libels, therefore, in the Address, is proper in itself, and is not unnecessarily introduced for the Sake of what follows, which must next be considered. "The Peace, we are told, is the worst that ever was made : " Now, though I might immediately proceed to shew how the Peace was made, and fairly infer that it was a good one, by proving that it was thought to be so, by a very great Majority of that numerous and august Assembly, who could best judge of its Merits, yet I will consider the general Assertion separately, and, I think, Sir, the Peace will appear to be a good Peace, as well by what we relinquished, as by what we kept. We relinquished only what we could not keep, without destroying that general Ballance of Power, which it is the Interest of all the Powers of *Europe* to maintain, and what, if we had kept, would have united all the Powers of *Europe* against us ; a Union, which would soon have involved us again in all the Distresses of War, without a Possibility of Advantage ; for the Strength of our Opponents, exerted in a common Cause, must, at Length, have

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compelled us to admit the Terms of a Conqueror, instead of imposing our own. To shew what we have kept will take up longer Time. We went to War, Sir, for a few Acres in *North-America*; we sit down in Peace, possessed of the whole Country; an Acquisition of Territory that secures to the *British* Dominions Advantages which no other Territory could secure: It does not, indeed, pour immense Wealth into the Kingdom, by the Importation of such Commodities as contain great Treasure in a small Compass, and, consequently, can be brought by a few Vessels; for this would have made us eventually poor, under a fallacious Appearance of making us rich; and, as Riches are Strength only when they are real, we should, by the Want of real Riches, have been left weak. The Increase of Money, in any Nation, does not make that Nation rich, whatever has been supposed to the contrary. Money, where it increases in Quantity, must proportionably lessen in Value; the nominal Price of Labour, and of all the Necessaries of Life, must rise; so that the People among whom this Increase of Money circulates, will, in a short Time, find the Proportion between their Income and their Expence exactly the same that it was when the

Quantity of circulating Money was less; and, consequently, the relative Terms, Poor and Rich, will express exactly the same Degree of the same Relation; but, with Respect to other Countries, this Increase of Wealth would have a pernicious Effect; as Labour would be cheaper there than at Home, we should not only find that our Rivals in Trade could undersell us in manufactured Commodities, at a foreign Market, but we should be able to buy, for a Home Consumption, Commodities ready manufactured, at a cheaper Rate than we could buy the same Commodities manufactured at Home. By this Means our Manufactures would languish, those whom they fed would be left either to perish for Want, or to be supported by the Bounty of others; and, instead of the vast Multitude of Ships, which are necessary in an extensive Trade, exchanging a vast Variety of Commodities, we should, like the *Spaniards*, have only a few Gallions, distinguished by another Name, which would bring us the Treasure that would at once weaken and impoverish us, not in Gold indeed, but in Sugar, and other costly Products of the *West-Indian* Islands: Whereas, by the Acquisition of *North-America*, we have Employment for more Hands at Home, and for

more

more Shipping abroad, than we could have procured by any other Acquisition. Our Money circulates universally through the Channel of Industry; it bears a reasonable Proportion to the Necessaries of Life, and to the Possessions of our Neighbours, so that our Manufactures are vendable at a Market Price abroad, and our Manufacturers supported in Plenty at Home; at the same Time that a sufficient Proportion of our Natives are employed in our Fleets, which, at any Time, will be able to defend the Advantages they procure to their Country. With Respect to *America*, therefore, the Peace is certainly advantageous; but we have given Stability to our Settlements in *Asia*, and made an Establishment in *Africa*, from which the greatest Advantages may be expected, as the Trade of our *American* Islands depends upon the Slaves furnished from that Coast; and the Cession of *Minorca* is an Acquisition of great Importance in *Europe*, as our Trade to the *Levant* must, in some Degree, depend upon it. With Respect to all these Particulars, the Peace is, certainly, advantageous in the highest Degree, and it is, surely, honourable to have compelled all the Belligerent States to have granted us such Advantages; and it is

not less to our Honour that the formidable Compact of the House of *Bourbon*, which was so alarming, at the Beginning of the last Century, as to bring on a general War, is become so contemptible, in its first mutual Effort, at a Time when one of the compacted Nations was in its full Force and Vigour, that it was compelled to make Cessions almost as soon as it made War. Having thus, Sir, considered the Merits of the Peace, and given my Reasons why I think it is both advantageous and honourable, I might be excused from considering the Manner in which it was made, in Answer to a subsequent Objection, because, if the Peace is good, it is of very little Importance now to enquire how the Good was procured; yet that no Subterfuge may be left, that good may not be supposed to have resulted from a Conduct that, with Respect to its Principles and Design, was bad, I shall proceed to shew that the Peace was neither precipitate nor clandestine. That it was not precipitate, must certainly be acknowledged by all who remember that Peace had been before proposed, and a Treaty entered into, by that Minister whose removal the honourable Gentleman so pathetically regrets, and that it would have been concluded if *France* would then

then have consented to an Article to which, in the subsequent Treaty, she did consent. But it will more fully appear, Sir, not to have been precipitate, by the Reasons I shall bring to prove that it was not clandestine; my Reasons, indeed, are Facts; and from Facts it will incontestibly appear, that no Negotiation was ever more publickly known, or more deliberately carried on. In the first Place, the great Out-Lines of the Treaty were drawn, and communicated, before the Negotiation was commenced. In the next Place, Sir, a Personage of the greatest Distinction, as well for his Rank, as his Abilities and Property, was employed to set the Negotiation on Foot, a Personage whom no Man can seriously suppose capable of acting an under Part in a Scheme to betray and disgrace his Country for the Sake of keeping any Individual in a particular Situation. In the next Place, the Preliminaries being prepared, were long known, and minutely canvassed before the Definitive Treaty was drawn up, and approved by a very great Majority of the *British* Senate; and, lastly, Sir, the Definitive Treaty secured many Advantages which were not mentioned in the Preliminaries; and such being the Facts, Sir, can any Man have the Confidence to as-

sert, that the Peace was precipitate and clandestine? And if the Peace in Question was a good Peace, fairly and deliberately made, with the Concurrence of Parliament, who has any Right to suppose that it was made with iniquitous and selfish Views? The Tree, Sir, is known by its Fruit; and, as I hope I have proved the Fruit to be good, I might here rest the Defence of the Tree; but I must beg to be indulged a Word or two more: The supposed Author of the Peace, Sir, has been charged with boundless Vanity and Ambition, and with having put an End to the War to prevent his being driven from Power, by the public Clamour, which he justly dreaded, upon its not being carried on with Success; but, Sir, there was no Measure so likely to excite a public Clamour against him as the making a Peace. If the War had been continued, and had not been successful, we all know that the want of Success in War does not imply the want of Parts in the Commander, much less in the Minister: The want of Success in War he might easily have imputed to the Fault of others, or to those unforeseen but inevitable Events, which so frequently disappoint the most penetrating Sagacity, and invincible Courage; but, for the Peace, he

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knew he would be made answerable alone; and he knew also, that the almost miraculous Successes of the War, had raised romantic Expectations, which it was impracticable to fulfill, and, therefore, that the Peace, however advantageous upon rational Principles, would be condemned as inadequate to these Expectations: It was, however, necessary for this Nation to have Peace, and expedient to make Peace before a Reverse of Fortune should leave fewer Advantages in our Power: The Disgrace, therefore, which no other seemed willing to incur, by rendering this necessary and important, though unpopular Service, to his Country, he voluntarily drew upon himself, and sacrificed to the Pleasure of doing good, that, for which only the Pleasure of doing good can compensate. The honourable Gentleman has waved an Enquiry into the Success of this Minister's Project, with Respect to himself; but, I think, in Justice to his much injured Character, it should be known: when he had effected the great Work in which he engaged with that quiet Fortitude, and that patient Perseverance which are the Characteristics of a good Conscience and a great Mind; when the Storm that had been raised against him was, in a great Measure,

spent by its own Violence ; when no new Exigency of State could have been made an Occasion of exciting new Clamour, he quitted the Post that had been so much envied, and parted with the Power which the public Cause no longer made it necessary for him to exert. I would not, however, be thought the Panegyrist of this, or any other Minister, and I desire it may be remembered, that I have no farther given Praise, than as it became necessary to remove Obloquy. Having now, I think, considered all the Objections to the Peace, I shall no longer trespass upon the Patience of the House, than to obviate that which relates merely to the Address ; we have been told, that, supposing it to be proper in itself, it is not proper now, the Season in which alone it could have been made with Propriety, being past ; now, Sir, I readily agree, that there was a Time when it might have been made with greater Propriety than it can be made now, but I cannot see any Reason to conclude from thence, that it ought not to be made at all ; if we have done Wrong, the best Atonement is to do Right, and why a grateful People should be restrained from expressing a proper Sense of the Benefits they have received from the best of Princes

Princes, at this Time, because they did not improve an Opportunity that offered for doing it before, I confess, is wholly beyond my Comprehension. As to the Conclusion of the Address, in which mention is made of our worthy Lord Lieutenant, it gives me the greatest Pleasure to find that we are unanimous in our Approbation of it, and have a just Sense of his great Merit, and most amiable Qualities.

Sir *W— M—* desired, that the Addresses of the Commons on the Peace of *Ryswick*, *Utrecht*, and *Aix la Chapelle*, might be read, to shew that the Words Honourable, and Advantageous, were always inserted, and then spoke in Defence of the Ability, and Integrity of the late prime Minister, and concluded by saying, that the Nation was happy, not only in the Peace, but the Peace-maker, and that the only Draw-back upon that Happiness was, its not thinking so.

Mr *E— S— P—* then moved, that the Question might be put, that the Consideration of that Matter might be adjourned till the first *Monday* after the *Christmas* Recess; and said, that as a Change of Affairs on the
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other Side of the Water, had made them think of an Address now, which they did not think of at the Beginning of the Sessions, it might happen, that before the Time of resuming the Subject, another Change might induce them not to think of it at all.

The Question being then put, for the Adjournment, it passed in the Negative.

Mr P— then moved, that the Words
 “ We are truly thankful to his Majesty for
 “ the Honourable and Advantageous Peace,
 “ which his Majesty, through his great Wif-
 “ dom, and paternal Concern for his Sub-
 “ jects, hath happily concluded for the Bene-
 “ fit of his Kingdoms,” be expunged from
 the Address.

Mr W— H—.

Mr S —,

Not to enter into the Dispute concerning the Merits of the Peace, or the Peace-maker, I think the Address proposed is improper at this Time, whatever it might have been before; and I think so because it cannot do now, what it would have done before; to do

do Right is certainly the best Way of atoning for having done Wrong; but, in this Case, presenting an Address is not doing Right; with Respect to us, it would be inconsistent and absurd; and it would not even be a Complement to Government; it could not be supposed to express our Sentiments, because if we had thought of the Peace, as we are made to say we do in this Address, we certainly should have mentioned it in our Address, on the Speech from the Throne, when we could not but see that something of this Kind was expected; and, if it cannot be supposed to express our Sentiments, it can answer no Purpose, but to shew that we are Puppets, actuated from without, which can never do us Credit, nor the Peace Honour; in short, allowing the Peace to have been the best that ever was made, we shall in Fact only shew that something should have been done which was not done; I have heard of some Military Officers, in a certain Country, who insisted the Parish Clerk, and, on the Review-Day, all the Company fired at the same Time, with great Order and Dexterity, except the Clerical Recruit, who fired by himself a considerable Time after the Rest; if he had not fired at all, no body would have remarked his

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Neglect, but firing singly, and out of Time, he betrayed himself, and the Officer, being greatly offended, rode up to him, and striking him on the Shoulder, with a Rattan, *Sirrah!* says he, *What do you mean by your AMEN Shot?* I should be sorry, Sir, to have this Story applied to us; and yet we shall give so fair an Occasion by the Address now proposed, that I think every Gentleman who has the Honour of the House at Heart, should be against it. The Parts of the Address, too, are so oddly jumbled together, in one Paragraph a Traiterous Libel, and in the next an honourable Peace, that they put me in mind of another Story: “A Lady, who had not the fairest Skin in the World, employed a Limner to paint her Picture, but she desired that a little Negroe Girl, who waited upon her, should be painted with her; doubtless, that the Colour of the Negroe’s Skin might set off her own.” I confess, I should be sorry to hear the same Artifice imputed to this House, and yet, I know not how we shall avoid it, if this Address is presented. I know not how it is, but in whatever Light I view this Address, it puts me in mind of a Story: If I consider it as intended to reconcile Factions in *England*, and give a Check to popular

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lar Clamour, the ignorant Vanity of this Design appears to me as ridiculous as that of a silly Justice in the great Rebellion, who, hearing that *Cromwell* was in the Neighbourhood, with Thirty Thousand Men, and that the Royal Army was not far off, concluded that there might be bloody Noses, and, therefore, sent out the Parish Constables to keep the Peace. In a Word, Sir, I am of Opinion, that we should not appear to think more of ourselves, than our Neighbours think of us; if we intermeddle officiously with Respect to this Peace, we may, for ought I know, be made to intermeddle more than we are willing in the next War. Let us leave the Consideration of these Matters to our Betters, who have not asked us to consider them, nor enabled us so to do; let us keep our little Skiff out of a Storm if we can, and shew our Dexterity by steering clear of the Rocks. I am sorry to say, that some Gentlemen seem to enquire where the Rocks lie, in order to steer upon them; we have heard a Request, that the Addresses on the Treaties of *Ryswick*, *Utrecht*, and *Aix la Chapelle*, may be read, in order that our present Address may be like them. I am sorry to find that any Thing relative to those Treaties should be proposed
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for our Imitation; and cannot but think very ill of any Address, that is to keep such bad Company.

Mr J— H— H—, the P. S. spoke to the two Objections against the Address, with Respect to there having been no Materials relating either to the Libels, or the Peace laid before the House, and to its being now proposed out of Time; he observed, that the Libels had not only been read, but printed in that Country, a Circumstance that would have rendered any formal Notice of them ridiculous, and that to be silent, would imply an Approbation of them; that, as to the Peace, it did not appear that any formal Notification had ever been given, though the House had constantly addressed, on former Occasions; and that it would be unreasonable to expect now, what had never been done before, and absurd to refrain from doing what had always been done before. As to the Impropriety of addressing after a Delay, he said, that the House was better qualified to address now, than at the Beginning of the Sessions, as the Purport and Effects of the Treaty were better known; the Affairs of the *East Indies*, he said, appeared to be settled so much to our
Ad-

Advantage, that it was doubtful whether another Ship would ever be sent thither by the *French*; and the Affairs relative to the *German* States, seemed to have acquired such a Stability from the late Treaty, as was greatly to its Honour; he proceeded to urge several Arguments in favour of the Peace in general; he said, it had been approved by a great Majority of the *British* Parliament, and that though our Success in the War was unparalleled under the Direction of a great Minister, who diffused his own Spirit through our Fleets and Armies, to the remotest Corner of the World, yet we could not, consistently either with good Policy or the Law of Nations, retain a greater Proportion of our Conquests than we did; nor, says he, did that Minister himself propose to retain more in the Treaty than he proposed to *France*, and in which *France* would not then concur. He added, that nothing would so effectually enable us to avail ourselves of the Advantages secured by the Peace, as Unanimity among ourselves, and a good Understanding with *Great Britain*; for which Reason he hoped the House would not divide against the Address.

The R—t H—ble *W— H— F—* having touched upon the Topics that had before been discussed, proceeded to shew the fatal Effects of a seditious and turbulent Disposition, among the People, by many Instances, which he brought from Ancient History, and urged with great Force and Propriety. He cited many curious Passages, with great Learning, to shew that the *Grecian* and *Roman* Governments were subverted by popular Factions, raised and supported by wicked and designing Men, who made the People Tools to effect their own Ruin, under the specious Pretence of opposing Tyranny. He added, that since the Names of Mr *P—tt*, Mr *L—gge*, and the Duke of *D—re*, had been mentioned in the beginning of the Debate, he was free to observe, that they were all Men of too much Honour, Integrity, and Ability, to have suffered any capital Error in the Treaty, without such Remonstrances as would have been echoed through the whole *British* Dominions; their quiet Acquiescence, says he, in the Peace, must, in the Opinion of their Friends, at least, be allowed as a Proof, that it is good; if it had appeared otherwise to Mr *P—tt*, would not the Thunder

der of his Eloquence have shaken the State to its Center? Should we not have felt it in this Kingdom, and even in this House? He concluded that the House could incur no Disgrace by concurring in a Measure, in which Mr P—tt, and his noble Associates had concurred, and that the Address was upon every Account proper, and even necessary.

Mr H—F— said, that he was much surprized to hear the general Sense of a Nation stigmatized with the Name of a factious and turbulent Disposition; it was from the Voice of the People, he said, that he, and every Gentleman in that House derived their Legislative Capacity, and that their Constituents had an undoubted Right to their Attention; that the first Effects of bad Measures always fell upon the People, and therefore the People were naturally the first to complain, and that though he was the greatest Enemy to to Licentiousness and Riot, yet to popular Complaints, however spirited, he was a Friend. An Attention to these Complaints, he said, and a Redress of the Grievances that produced them, was the only way of preventing Licentiousness and Riot, which was consistent with a free State; for to enforce

bad Measures, by an Exertion of the very Power that was intrusted with Government for rendering good Measures efficacious, was the worst of Tyranny, for that nothing could more radically strike at the natural Rights of Mankind, than first to oppress them, then by refusing to redress their Grievances, compel them to attempt redressing themselves, and finally, making that Attempt a Pretence of subjecting them to new Evils, under the specious Profession of punishing a seditious and turbulent Spirit. In answer to what had been said, in order to prove that the Ruin of States had been generally effected by the Leaders of popular Faction, he said, that there was scarce one Instance upon Record, of a Person's having derived Popularity from any other Source than some Advantages which he had procured to his Country; and that no Man ever preserved his Popularity, after sacrificing the public Interest to his own. It was true, he said, that the *Grecian* and *Roman* State had fallen a Sacrifice to the People, but then the People formed rather a lawless Anarchy, than a licentious Democracy. As to the Subject in Debate, he said, the popular Opinion was certainly against the Peace; and it was equally certain, that the popular Opinion was the

the Opinion of the House two Months ago ; what had happened to change that Opinion, he said, he could not guess, any more than what should induce them to make a Declaration contrary to their Opinion, supposing it not to be changed ; so that the Address was equally a Mystery to him, whether it was or was not supposed to be sincere. He said that what he knew to have happened, during the last two Months, rather tended to confirm than destroy the Opinion of the Peace, which was then adopted by the House, for that the Stocks had fallen, and he always considered them as the true Barometer of public Credit ; he hoped, therefore, he said, that Gentlemen would take this Occasion to shew, that as they were free to form Opinions contrary to ministerial Measures, they had firmness to abide by them, and to appear to abide by them in Opposition to ministerial Influence, and to the Disappointment of ministerial Arts.

The Question being then put upon Mr P—'s Motion, for expunging the Paragraph, which contained Thanks for the Peace, as Advantageous and Honourable, it passed in the Negative.

A Motion was then made, and the Question put, that an Amendment be made to the Motion for the Address, by inserting between the Words *Constitution* and *that*, the Words “ And at the same Time to express our general Satisfaction and Joy at seeing the Principles of Liberty vindicated, and maintained, and the Rights of the Subject protected from the Invasion of Power, by the just Determination, and spirited Conduct of one of his Majesty’s Judges, and of an *English Jury.*”

It passed in the Negative.

Then the proposed Question for an Address being put, it passed in the Affirmative.

MON.

MONDAY, Jan. 23, 1764.

FIFTIETH DAY.

M R R— M— moved, that the Registers of the several Diocesses in the Kingdom, should be ordered to send up the *Terriers** of the Parishes in their respective Diocesses, which had been returned into their Courts, with an Account of the great and small Tythes annexed, for the Inspection of the House.

Mr J— H— H—, the P. S. opposed the Motion, and said, it was inconsistent with the Dignity of the House, to regulate their Proceedings by any Information from Ecclesiastical Courts: That he had a very bad Opinion of those Courts, and thought their Registers should not be admitted as Evidence to support any Demand of the Clergy; he

* A *Terrier* is a Map of the Glebe, to which an Account of the Tythes ought to be annexed.

should, he said, be very glad to find out some Method of ascertaining what was legally their Right, but could never think of admitting that to be their Right which appeared to be so by the Registry of an Ecclesiastical Court, merely on the Authority of that Register ; he did not doubt, he said, but that such Registry was frequently erroneous, the Courts being wholly under the Influence of the Clergy, and their Dependants, and nothing being a more just or general Subject of Complaint than the Decision of those Courts.

Mr *A—Mac A—* said, if such an Order should be made, it would be impossible for the Registers to obey it ; because, though it was the Duty of every Clergyman to annex an Account of his Tythes to the Terrier of his Living, yet this Duty, though enjoined by a Canon, was frequently neglected ; and that as the Terriers were always admitted as Evidence in Law, to prove the Boundaries of the Glebe, it would neither be proper, nor safe, for the Registers to part with them out of their Custody, so that they would be under a Necessity of coming up with them, though many of them were distant no less than One Hundred and Fifty Miles.

Mr

Mr *E—S—P—* said, that nothing could be of greater Importance than to fix the Demands of the Clergy, and that as the Terrier was only a Map of the Glebe, he did not think it necessary to bring up that, but that he thought all Papers relative to their Tythes, might be ordered, from which some Information might certainly be gathered; he observed, that there might be a wide difference between *Legal* and *Customary* Tythes; and that what was called a Modus, was a Composition paid by the Parishioner in lieu of a Legal Tythe, and was generally substituted for the Tythe in Kind, at the Instance of the Parishioner; he added, that if all the Papers relative to Tythes were sent up, it would create great Trouble, and load their Table with a vast Heap of Papers, which would never be examined, besides, that they would be deficient at last, for the Reason that had been already assigned.

Sir *W—O—* said, that if it was the Duty of every Clergyman to make a Return of his Tythes to the Diocesan Court, and if any of them had neglected it, such Defaulters should

650 *Debates relative to the* [DAY L,
be found out and compelled to fulfil the Duty
they had neglected.

The R—t H—ble F— A—, the P. just at
this Time came into the House, and said, that
the Heads of a Bill, which he proposed to
introduce were not intended to form a new
Code of Laws with Respect to the Demands
of the Clergy, or to establish any of their
Demands which might be thought doubtful,
but only to enable the Clergy to recover, with
Ease and Expedition, those Tythes, which
were allowed to be their Right, and to dis-
appoint such Combinations as might be form-
ed to defeat them of their Due.

It was then observed, that a List of the
Fees of the Clergy had been laid before the
Privy Council, and afterwards ascertained,
but that the Clergy did not think fit to abide
by the Determination.

Ordered, That the Clerk of the Council do
lay before this House, the *Ulster* Table of
Tythes, and all other Tables of Tythes and
small Dues in his Office.

Sir

Sir W— O— then moved, that an Order should be issued, requiring the Registers of the several Diocesses in the Kingdom to make a Return of the Names of the non-resident beneficed Clergymen of the respective Parishes of their Diocesses. Upon which, Mr J— H— H—, the P. S. spoke as follows:

Mr S—,

I beg leave to propose as an Amendment of the Order, that an Addition may be made to the following Effect: “ Such Clergymen
“ who have not proper Accomodations in
“ their own Parishes, and who live only at
“ such a Distance as to be able to fulfil their
“ parochial Duties, and such as having more
“ Benefices than one, reside on any one of
“ their Benefices, not to be deemed non-resident.” My Reason for the Amendment, Sir, is to prevent undeserved Censure from falling upon the Cloth; for as I think a neglect of Duty, in the sacred Function, one of the greatest Crimes that can be committed, I should be sorry to have it imputed to those who are not guilty. I must, however, farther

ther declare, that though I think the Motion well intended, and would most heartily concur in any Measure for compelling the Clergy to perform a Duty so important as that of their Calling, and for which, no less than a tenth Part of the natural Produce of the Kingdom is allotted them; yet, I think, it is ill-timed, and that our Concurrence in the Motion at this Time would be productive of greater Evil, than it is intended to remove. It is universally allowed, Sir, that the Commotions in the North have been principally directed against the Clergy; and the general Contempt into which they are fallen, at this critical Time, is too notorious to stand in need of Proof; and as it is of the utmost Importance to discourage those Commotions, and support the Clergy against this Contempt, I think we ought by no means to lay any of them under the public Censure of this House, though they have not resided on their Livings, nor even to enquire whether they have resided upon their Livings or not, before our Censure has fallen upon the licentious and daring Associations, that have been entered into against them. I, therefore, humbly propose, that the Consideration of this Question be postponed till we have received the Report of the
Com-

Committee, appointed to enquire into the late Northern Insurrections, and passed our Censure accordingly. When this is done, I hope those Clergyman who have been forced out of their Parishes, will return into them again, and till this is done, the Order proposed will aggravate their Misfortune, by imputing it to them as a Fault.

Sir W— O—,

Mr S—,

As I cannot be supposed to have any Intention of censuring those Clergy for non-residence who either are resident, or would be resident if they could, I think I need say nothing to defend my Motion against the Defect which the Honourable Gentleman has been so good as to supply: But against the Charge of its being ill-timed, I can irrefragably defend it, by the very Arguments that have been brought to support the Charge; it has been said that the Clergy are fallen into contempt, and that they have been the principal Object of the Risings in the North, and that for these Reasons no Inquiry should be now made into their Conduct, nor any Censure passed upon it, supposing it to have been

worthy of Censure ; now, Sir, I draw Consequences directly contrary from the same Premises : If they have fallen into Contempt, and become so odious as to be opposed, even at the Risk of Life, it is, surely, high Time for us to enquire whether these Evils are not the Effect of their own Conduct, and if it appears that they have neglected their Duty, the most effectual Way to establish their Credit, is to oblige them to fulfil it. It has been said, that we ought first to proceed against the Insurgents, but surely it is better to prevent Crimes than to punish them ; nay the great End of Punishment is to prevent Guilt ; the worst that is said of the Devil, is, that he first betrays us into the Sin, for which he afterwards torments us ; and, surely, we shall act but little better, if we suffer the Clergy to give just Occasion for Contempt and Opposition, without so much as Censure, and, at the same Time, proceed to punish those who despise and oppose them. The best way to prevent popular Ill-will to the Clergy, is to make them do their Duty, and not to support them in the Breach of it. And whatever Censure may, at length be passed upon the misguided Rioters of the North, by those who *thought fit to attend the Committee*

of

of Enquiry, I am sure, we cannot strike the Evil at the Root, if we do not Censure, and even prevent the Irregularities that gave rise to it.

Mr J— H— H— immediately took up the latter Part of the Speech, and said it gave him great Concern to hear his honourable Friend on the Bench behind him, cast an oblique Reflection on his not attending the Northern Committee, I am sensible, says he, that it is the great and first Duty of every Man to attend the Service of his Country, but there are Duties which, though inferior in their general Nature, are not to be neglected; and though it is true, that I did not once attend the Northern Committee, it is true, that, morally speaking, I could not.

Mr L— O—

Mr S—,

It is impossible for me to sit silent, when I hear any method proposed to enforce the Residence of the Clergy of the established Church, for I have frequently, from the bottom of my Heart, lamented the deplorable Condition of the Inhabitants of the County in
which

which I live, arising from the total Neglect of those who have nominally the Care of their Souls, and actually a Tythe of their Property : I live, Sir, in the County of *Clare*, which is one of the largest in *Ireland*, and extreamly well peopled. In this County, Sir, there are no less than Seventy-six Parishes, and no more than Fourteen Churches ; so that Sixty-two Parishes of the Seventy-six are Sine-Cures ; this surely, if Religion is any Thing but a Name, is such a Neglect, not of the temporary, but the eternal Interest of Mankind as should make those, to whose Care they are committed, look inward with Shame and Horror ; but could it be believed, Sir, that when the Number of Churches is so small, in Proportion to the Number of Parishes, the Rectors of most of them are non-resident, nor is there so much as a Curate of Forty Pounds a Year to supply their Place ; yet such is the Fact, and so much greater Regard have the Clergy to the Tythes, than the Souls of their Parish. I will venture to say, Sir, that for every resident Clergyman in the County of *Clare*, there are Thirty Thousand Acres of Ground, and at least Five Thousand Souls ; so that the Inhabitants of many Parishes must either live in the total Neglect of all Religious

gious Duties, or they must have recourse to Popish Priests. The Priest, Sir, must marry those who would enter into the nuptial Contract, the Priest must baptize the Children, and the Priest must bury their Dead; or they must co-habit like Savages in the un-inlightened Recesses of *Africa*, the Child must be considered as a mere Denison of Nature, under no Covenant with God, and the Dead must be deposited in the Earth, without any Memorial of a Resurrection. I am almost ashamed to observe, that this is bad Policy, because it is pregnant with Mischiefs so much greater than bad Policy can incur. To regret the non-residence of our Clergy, upon mere political Principles would be like the Sailor, who, when his Comrade lost his Head, as he was drinking, regretted the Can of Flip, that was carried away with it: And yet, Sir, as there is too much Reason to suppose that the mere political Mischief is all that some Persons regard; I may be excused for observing, that the Priest, who is always watchful in Proportion as we are negligent, never fails to improve the Influence that he gains by attending the Bed of Sickness, and of Death, to make Profelytes to his Church. I need not shew the political Disadvantages that

that arise to this Country from the Number of Papists among us; it is necessary to lay the Papist under some Restraints from which the Protestant is free, and it is impossible for a Country to flourish in which all the Inhabitants are not admitted to Immunities and Privileges which equally encourage Industry, and unite Individuals in a common Interest: *The Children of this World are wiser in their Generation than the Children of Light*, and it is a Pity that in this great Article, we give no other Evidence of our being the Children of Light, than that we are less wise than others whom we suppose to be the Children of the World. One of the bad Consequences of this shameful Neglect of our Clergy, is, those Risings that have been mentioned to the Violation of all Law and the Disgrace of all Government; for who can suppose that Men will patiently suffer the Extortion of a Tythe-Monger, where no Duty, for which the Tythe is claimed, has been performed in the Memory of Man: How can we persuade ourselves that such a Demand can ever be thought Legal; and if it is not thought Legal, how can we expect it should be paid? I know not indeed, how far the Legality of it can be proved, for it was certainly never intended
either

either by the Laws of God or Man, that a mere nominal Clergy should be paid the tenth Part of our Property for doing nothing. It has been said, that to prevent an Opposition to such Demands, we should put in force our penal Laws against those that have opposed them already, but give me leave to say, Sir, that no penal Law however sanguinary in itself, and however rigorously executed, will subdue the Natives of a free Country into a tame and patient Acquiescence in what must appear to be the most flagitious Injustice, and the most cruel Oppression. The Insurrections, against which we are so eager to call out the Terrors of the Law, are no more than Branches of which the shameful Negligence of our Clergy, and the Defects in our Religious Institution constitute the Root; and, I am firmly of Opinion, that nothing is more essentially necessary to the Support of the Religion and Laws of our Country, and the Morals of its Inhabitants, than the Residence of the Clergy, distributed in sufficient Numbers all over the Kingdom, I shall, therefore, most heartily give my Vote for the Motion.

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Mr

Mr J— G—, the S. G.

Mr S—,

I am very sorry to say that the pathetic and striking Representation, which the honourable Gentleman has exhibited of the County, in which he resides, is also a faithful Portrait of that in which I reside myself. I live, Sir, in the County of *Longford*, and I am sure many Parishes may truly say, as the Disciples at *Ephesus*, said to *Paul*, *We have not so much as heard whether there be any Holy Ghost*; every Argument for the Residence of the Clergy, which that Gentleman has so powerfully urged, is, in my Opinion, conclusive; nor have I the least Objection to a Return of the non-residenced Clergy, but that, as it will be impossible to distinguish, in the Return, which are non-resident by Necessity, and which by Choice it will unavoidably confound the Innocent with the Guilty. Every Gentleman who makes Conscience of residing in his Parish, and doing his Duty, must, I am sure, concur with me in thinking that voluntary Non-residence, and Neglect of Duty, are the greatest Crimes that can be committed, and must dread coming under the Imputation

tion of such Crimes, as the greatest Misfortune that could befall him; and yet some such may necessarily be non-resident at the Time of the Return, and will, therefore, by the Return, suffer the greatest Injustice. It is, I think, a Rule, universally admitted among us, that no Person shall be accused who is not present to defend himself; but, by this Return, we shall not only accuse the Absent, but punish them unheard; I am, however, so sensible of the Advantage that would accrue from the Residence of beneficed Clergymen, that I would heartily concur in a penal Law to enforce it: It is true, indeed, that the Superiors of the Church have a Power already to enforce Residence, why they do not exert it is best known to themselves, but why it should be taken out of their Hands, who do not exert it, or at least, why it should be lodged where it would be exerted, is I think sufficiently known to us.

Mr T— *Le-H—* declared himself to be perfectly of the same Opinion with the S. G. and seemed desirous that the Motion should be deferred.

Mr J— *H— H—*, the P. S. seemed to
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think that Mr *Le-H—* was inclined to put the previous Question, and therefore said, that he wished the previous Question should not be put, because the Question which implied a Censure on non-resided Clergymen would then be entered in the Votes. If the Question was put, he said, he should certainly vote for it, though he thought it better to adjourn the Debate till after the Report of the Northern Committee, and the consequent Resolution of the House.

To this Sir *W— O—* agreed, but observed, that as it was much more consistent with the true Spirit of Christianity, to convince the Papists of their Errors, by Precept and Example, than to harraß them by the Execution of penal Laws, he was of Opinion, that proper Measures should be taken to enforce the Residence of beneficed Clergy, in preference to any other Proceedings.

The Motion was then postponed, by Consent, and there the Matter ended, for, however necessary and important the Residence of beneficed Clergy may be, no Measure was ever afterwards taken to enforce it.

FRIDAY, Jan. 27, 1764.

FIFTY-FOURTH DAY.

IN a Committee for enquiring into the late Insurrections in the North, Mr Y—B— being Chairman, began to read a Report, which had been prepared for that Committee to make to the House; and, after he had read sometime, Mr R— F— got up, and spoke to the following Effect:

Mr R— F—.

I beg pardon for interrupting the reading of the Report, but I cannot help thinking, that many of the Particulars that are inserted in it, tend rather to irritate and inflame particular Persons against each other, than to promote the public Good; besides, I observe, that, in many Instances, what is said against particular Persons, bears much harder upon them than it would do, if all the Circumstances relative to the Affair were mentioned. I remember, in particular, that during my Attendance on the Committee, which was not as frequent as it should have been,

I heard a Witness asked, whether he had not been sixteen Years in Friendship with an honourable Member of this House, to which he answered in the Affirmative; but admitted that the Friendship had been broken some Time; now this Particular not being inserted in the Report, I think the House cannot judge exactly what Credit should be given to that Part of the Testimony of this Witness, which affects the honourable Gentleman. But if all these Particulars were inserted, and every Allegation against every particular Person was fully elucidated and explained, I do not see what End it could answer. We have no concern with any Thing but the Facts by which the Law was actually broken. What were the Motives of the Insurgents to break it, or whether any Act of Oppression was, or was not committed, is an Enquiry wholly foreign to the Business of this Committee. We have, in this Case, no discretionary Power; if the Crime alledged has been committed, the Law assigns the Punishment; we have no Power of lightening the Punishment, in consequence of any Provocations which may be supposed to alleviate the Crime. The Crime, as far as it can be judged of by this House, consists wholly and simply in breaking the
 Law,

Law, and the Breach of the Law is the same, whatever was the Motive to break it. If any of the Insurgents suffered Wrong, the Law had provided a Remedy, which they were free to take; they had no right to provide a Remedy for themselves; if a Man is legally convicted of a capital Crime, and sentenced to die, the Prosecutor has no Right to take his Life, and he that should stab him, though with a Halter about his Neck, would be liable to punishment. The worst Laws while they subsist, ought to be enforced, for bad Government is better than Anarchy; and if the People are permitted to dispute with Government, whether the Laws shall be executed or not, nothing but Anarchy can ensue: However, in the present Case, it does not appear that any just Cause of Complaint gave Colour to the Insurrection in Question. Complaint indeed was made of an oppressive County Cess, but it does not appear that the County Cess was oppressive; and Complaint was made of exorbitant and illegal Demands of the Clergy, but it does not appear that their Demands were either exorbitant or illegal; however, as I said before, this is no Part of our Enquiry; the Proceedings of the Insurgents, have, without Controversy, been

Licentious, Illegal, and Rebellious; and their Notoriety, and Turpitude, are sufficient Grounds for this House to proceed judiciously against them, and I therefore think that as the Report of the Committee is, for the Reasons I have assigned, both Redundant and Defective, the making it to the House, should be adjourned to a farther Day :

The Motion was then made, to adjourn the Report of the Committee, and it passed in the Affirmative.

The House took no subsequent Measures, in consequence of the Enquiry of this Committee.

The House having, according to Order, resolved itself into a Committee, to take into Consideration, Heads of a Bill for better securing the Liberty of the Subject, and spent some Time therein, the Speaker resumed the Chair, and, the Report having been made, the Bill was read.

Then a Motion was made, that the Speaker, with the House, do attend his Excellency the Lord Lieutenant with the said Bill, and
desire

desire the same may be transmitted into *Great Britain*, in due form, and that his Excellency would be pleased to recommend the same, in the most effectual Manner to his Majesty, as a Bill of the utmost Consequence to this Kingdom.

To this it was objected, that such a Method was unusual, and that, at this Time, nothing made an unusual Method necessary, as there was not the least Reason to suspect that the Bill would not be properly considered.

The Question being then put, it passed in the Negative.

Ordered, That Mr H— L— do attend his Excellency the Lord Lieutenant with Heads of a Bill for discharging from Prison, Persons, who shall be acquitted of Offences, without Fees; and for making a Compensation to those to whom such Fees would be paid, and desire that the same may be transmitted to *Great Britain* in due form. (*See Mr H—L—'s Speech and Motion, to bring in the Heads of this Bill in the Debates of Day IV. page 51.*)

SATUR.

SATURDAY, Feb. 4, 1764.

FIFTY-NINTH DAY.

Mr R— F—.

Mr S—,

I Think nothing can happen in any Country that requires more serious Consideration than the Insurrections that have lately disturbed, both the Southern and Northern Parts of the Kingdom : They have already been the Object of our Enquiry in a Committee, but there, as has been observed before, they were considered as Breaches of the Law already past, and the Motives which urged the Offenders to commit the Crime, did not come properly under Consideration, when a Crime already committed was the Object ; but as it behoves us to prevent such Insurrections for the future, and to provide some effectual Means for preventing the Mischief which may follow if they should happen, it is proper for us to consider what gave Occasion to them, that by preventing such Occasi-

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on we may strike the Evil at its Root : It is also proper for us to enquire what Provision is already made by Government for quelling a riotous and rebellious Opposition to the Laws, and securing the Property and Life of those who are under their Protection. Now, Sir, as to the first Object of our Enquiry, it does not appear that any previous Breach of the Laws, or any oppressive Abuse of them, in those who were the Object of these Insurrections, gave Colour to them ; but that they rose from a causeless Offence taken against the Laws themselves, and were encouraged by a Notion, that the civil Magistracy was not invested with a legal Power sufficient to quell them, and disappoint their Design, which was no other than to render the Law ineffectual by forcibly preventing its Execution. Now, Sir, as the Opposition of these Insurgents against the Law is causeless, we cannot remove the Occasion of their Irregularities by an Alteration of the Law ; all that we have to do is to take away the Encouragement which they derive from a Want of Power in the Magistracy, and so prevent them from attempting to put their Purpose in Execution, by shewing them that it is impossible. By this Measure, Sir, we shall also prevent the Mis-
chief

chief of the Attempt, even if it should be made. Their Notion that the Power of the civil Magistracy of the Country is defective, has but too much Foundation in Truth, as will appear upon a Comparison of our Police with that of a Sister Kingdom. The Spirit of Liberty is there as high and as bold as in any Country upon Earth, and yet the same Causes which have produced Insurrections bordering on Rebellion here, have produced no such Mischief there. This is owing entirely to the Power of the Magistracy, and the Respect which Power always inspires. In *Great Britain*, Magistrates, and those in Authority under them, had a Power sufficient to answer the Purposes of civil Government regularly and legally vested in them, before the *Norman Conquest*, and this Power the Conqueror thought fit to continue and establish; but it does not appear that any such Power has been established in this Kingdom, from the earliest Times to the present. The Clanship, as they have been called, and the Dependence of the lower Classes of the People, upon their Chiefs, or Heads, was the principal Source of their Obedience to the Law, and when that Dependence ceased, they were conscious to no other Subordination, and there-

therefore were disposed to be obedient no longer. At this very Time the Magistrate, however vigilant and faithful in the Discharge of his Duty, and however desirous to check any tumultuous Opposition to Government, has no Power to compel proper Assistance. The Persons that ought, on such Occasions, to assist the Magistrate, are the head Constable, and the petty Constables. But, at present, the head Constable of the Barony is appointed by Rotation, without the least Attention to his Ability, Situation, Character, or Circumstances; so that having often nothing to lose, he has nothing to fear, and becomes negligent of his Duty merely because he knows he cannot be punished for such Neglect; so that Deficiencies frequently happen, either from his Negligence, or his Dishonesty, in the public Cesses of the Barony, which he is intrusted to levy, and these Deficiencies, however small, he is frequently wholly unable to make good. Such are the head Constables; as to the Petty Constables, they are appointed from the very lowest of the People, and are indifferently of all Persuasions and all Characters; but if they were what they ought to be, with Respect to their Qualifications, they are not sufficient in Number effectually to assist the
Ma-

Magistrate in quelling a popular Insurrection. The Justice of Peace, under these Circumstances, is a mere Cypher, and the Quiet and Security of the Country must depend wholly upon a military Force ; a Force that is wholly unconstitutional, and that we are loaded with heavy Taxes to maintain. If our Police was to be properly supported by the civil Power, those who secured our Rights from Violation would also contribute, by their Industry, to the public Stock ; but the mercenary Soldier contributes nothing ; he is a mere Excrescence of the State, and can flourish only by its Weakness : He has not a common Interest with his fellow Subjects, and would as willingly subvert the Constitution as support it. The military Power is, indeed, so odious, that the Exertion of it will sow the Seeds of that very Contumacy, and Oppression, which it is employed to quell ; and I, therefore, propose to bring in Heads of a Bill to extend and increase the Power of the Civil Magistrate, and also to increase the Number of Constables, who shall be absolutely under his Direction : I propose, that a Return should be made of the Number of Families in each Parish, and that for every fifty Families a Constable and two Bailiffs should be appointed, and that such

Laws shall be made as will render them wholly subservient to the Orders and Directions of the Justice of Peace.

Ordered, That Leave be given to bring in Heads of a Bill for supporting the Authority of Magistrates, and preserving the Peace.

The R—t H—ble *W— H— F—*.

Mr S—,

I think it incumbent upon me, as well for the Support of the Honour and Dignity of this House, and its Privileges, as in Justice to the Character of a worthy Member, to complain of a Breach of Privilege that has been committed against him. Sir *A—B—*, Sir, has been most audaciously and injuriously aspersed by a Paragraph in a Pamphlet, which has been lately published by a Printer and Bookseller in this Town. In the *Dublin Magazine*, Sir, for *January 1764*, published and sold by *Peter Wilson of Dame Street*, there is a Paragraph purporting that *A—B— Esq;* Member of Parliament in *Ireland*, had been falsely reported to be the supposed Author of the *North-Britons*, there not being the least Reason to suspect him of such a Performance, as every
Body

Body that knew him must allow he had not literary Abilities for any Thing of the Kind, and that his being one of the Majority that voted the *North Britons* to be Libels, was another strong Proof that he could have no Hand in them. This, Sir, is a Breach of Privilege with Respect to the honourable and worthy Member particularly named, and it is also a general Breach of Privilege against the House, as the Majority are mentioned with a Sneer, and in a contemptuous Manner. As an Aggravation of this Offence, Sir, I must observe, that it was this very *Peter Wilson*, who had the Impudence to print the black and red Lists, as a Reflection on the Majority of the House, and a Means of inflaming the Minds of the People; the *Dublin Magazine* my Servant bought at his Shop. I therefore move, that *Peter Wilson*, Printer in *Dame-street*, shall, for a Breach of Privilege against a worthy Member of this House, be immediately taken into Custody of the Serjeant at Arms.

Mr E— S— P—,

Mr S—,

There is nobody more ready to stand up for the Rights and Privileges of this House than

than myself, as I think them essential to the Constitution; but I shall always be of Opinion, that the Rights and Liberties of the Subjects, should be preserved inviolate, for this is the great End of all Government, and without this the Rights of the House would be maintained to no Purpose. Now, Sir, as we have no Proof that this Man was either the Author, Printer, or Vender, of the Pamphlet that has been complained of, I shall oppose the Motion for taking him into Custody. The honourable Gentleman, indeed, who made the Motion, has asserted, that his Servant bought one of them at his Shop, but this Assertion is not sufficient to subject the Man to the Trouble and Expence, which must attend his being taken into Custody by the Serjeant at Arms. We must not inflict Punishment before the Crime is legally ascertained, and the supposed Delinquent has appeared to answer the Charge that is brought against him.

In this Mr *F—* acquiesced, and to prove that *Wilson* was the Printer, and Publisher, of the Pamphlet in Question, he produced and read a Letter, which he had written and delivered to Sir *A—r B—ke*, with his own

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Hand,

Hand, containing a Confession that the Pamphlet had been printed in his Printing-House, and sold in his Shop, expressing his Sorrow for it, and begging Sir *A—r*'s Pardon. *Wilson*, also, alledged, in his Letter, that the insertion of the Paragraph was intirely owing to an Indisposition which confined him to his Bed, and that though a Proof was brought him about two o'Clock in the Morning, when the Sheet went to Press, he was not in a Condition to read it.

The R—t H—ble Mr *A— M—* observed, that a mere Suspicion of Guilt must in the Nature of Things subject the supposed Delinquent to some Degree of Punishment, for that it was certainly some Degree of Punishment to be seized by a Constable and carried before a Justice of Peace, which must always be done before the Crime can be proved, or the supposed Criminal heard, in his Defence; that the ordering a Person, supposed to be guilty of a Crime against that House, into the Custody of the Serjeant at Arms, was the usual Proceeding of Parliament on such Occasions, and was just equivalent to the taking up a common Offender, by a Warrant from a Justice of Peace; that
there

there was no other Way of bringing him legally before them, or putting him to answer for himself. If the mere taking a Criminal into Custody, says Mr M—, is supposed to be a Punishment, that ought not to be inflicted till he has answered for himself, and his Crime has been formally proved, it is clear that no Offence could be legally punished, or even proved, and that no supposed Offender could be legally brought to make his Defence. Till this Man is brought to our Bar we cannot judge of his Case, and we have no Way of bringing him, but by ordering the Serjeant at Arms to take him into Custody: When he is there he will be at Liberty to make his Defence, and have an Opportunity of extenuating his Crime if it should be proved against him. I very well remember a parallel Case to that now before us, in which we acted as it is now proposed we should act. I remember that *George Falkener* printed some Lines, supposed to have been written by the late Dr *Swift*, reflecting upon the Character of Sir *Thomas Pendergast*, which being complained of, he was taken into Custody by the Serjeant at Arms, and brought to the Bar of the House; the Printing the Libel was proved against him, and he was punished accordingly.

Mr E— S— P—.

Mr S—,

I very well remember the Case of *George Falkener*, but no Precedent on the Journals of the House shall ever induce me to act in Opposition to the natural Right of every free Subject of this free Country. I acknowledge that a full and formal Proof of the Crime laid to any Man's Charge cannot be made before he is taken into Custody, but I must observe, that the Fact alledged ought to be attested upon Oath. I am also doubtful how far the Letter written by *Wilson* can be admitted to criminate himself, or rather, I am of Opinion, that it cannot be admitted for that Purpose at all. As the celebrated *Dean Swift* has been mentioned on this Occasion, I cannot miss so fair an Opportunity of congratulating my Country upon the Honour and Advantages it has derived from his Genius and Public Spirit; and, let me add, that as the poor Man now accused, had shewn some Spirit of Patriotism in his little Way; it should now be admitted to plead in his Behalf. It was an Observation of another great Genius, the Friend of *Dr Swift*, that "Right

too rigid hardens into Wrong :” However, I have a more important Cause to plead on this Occasion, than that of *Peter Wilson* ; I mean the Liberty of the Press, the great Bulwark of our Constitution : We should not, surely, betray a timid Jealousy of trivial Excesses, nor admit any but the fullest Proof that it has been pushed to excess. What has been now published is of a trifling Nature, and too absurd to be pernicious ; it was taken from the *London Papers*, and must have been written by some Person who was totally unacquainted with the Character of the honourable Gentleman supposed to be aspersed ; he is certainly the last Person in the World that those who know him would wish to offend, and indeed his Character is such, as renders the Paragraph that has been read, altogether unworthy of Notice ; nothing could have rescued it from Contempt and Oblivion, but a Complaint of it in this House, and nothing can so effectually consign it to Contempt and Oblivion again, as our saying nothing more about it. Our Enquiry alone can make it an Object of Curiosity, and our punishing the Publisher can alone persuade the Public, that it could, in any Degree, hurt the Character at which it is levelled. I hope

therefore, that for the Sake of poor *Wilson*, the ignorant and inadvertent Offender, for the sake of the Liberty of the Press, which we should on no Occasion discountenance, and for the Sake of the truly honourable and amiable Gentleman, who can be injured only by our mistaken Zeal to do him Justice, that nothing more will be done in this Affair.

The R—t H—ble Mr A— M—.

Mr S—,

I never was more surprized in my Life, than I am at the whole Purport of what the honourable Gentleman, who spoke last, has said upon this Occasion ; he has endeavoured to prevent our bringing a Man before us who is charged with a most flagitious Breach of Privilege, by telling us that the honourable Member he has ill-treated, deserves such Treatment less than any Man in the World ; that the Liberty of the Press should be kept sacred, and that the Delinquent deserves our Compassion. Now, Sir, as to the Liberty of the Press, it is wholly out of the Question. The Liberty of the Press, so much and so justly valued as the Bulwark of our Constitution, is not, surely, a Liberty of defaming and calum-

calumniating private Persons. With the Characters of private Persons the Constitution has not the least Connexion, nor can a Freedom of disclosing or disguising their Characters in Print, tend, in the least, to secure to us our common Privileges, as Members of a free State. The Liberty of the Press, Sir, of which we are and ought to be tender and jealous, is the Liberty of making known to the Community those Truths by which the Community is affected ; it is the Liberty of publicly examining Public Measures, and discussing Questions relative to political and religious Principles, in which all have a common Interest. As to the Character of the honourable Gentleman who has been publicly aspersed, it is the first Time that I ever heard it advanced, that the more Merit a Gentleman possesses, the less Crime there is in abusing him. Can it possibly be supposed that a Man's Innocence, nay, that his Eminence for positive good Qualities, should be a Reason why he should be publicly aspersed as being destitute of such Qualities, with Impunity. Are we only to punish Defamation when it is true, and to take no Notice of it when it is false ! The Aspersion, I know, has been treated as a Trifle, because it has no Relation

to moral Conduct ; but a Man may be more injured by a public Imputation of Folly than of Vice. It is, indeed, with Respect to the Person himself better to want Understanding than Virtue ; but I am afraid he will suffer less in the Estimation of many, by the Want of Virtue than Understanding. The honourable Gentleman, Sir, is a Member of this House, and to insinuate that he wants Understanding is to insinuate that he is unequal to his Trust ; It tends to destroy the Confidence placed in him by his Constituents, and to expose him to every Attempt that Cunning and Fraud may be encouraged to practise against those whom they suppose unable to detect them. The Injury of such Defamation, Sir, is great, that it is unmerited is an Aggravation, and it may be punished without discountenancing any Privilege of the Public, or any Practice of general Utility. As to the Delinquent, if it is granted that he is an Object of our Lenity, it cannot, for that Reason, be pretended that he should escape unquestioned : To take no Cognizance of Offence is not Mercy ; it is betraying the Cause of the Public, and encouraging an indiscriminate Violation of every Law that was intended to unite Society in the Bonds of Peace. If he is an Object of our Mercy, let

us shew it, with the Sword of Justice in our Hands; we shall then give a Sanction to the Law, and an Encouragement to Merit; but, if we do not bring him before us, we can do neither: And let me now make a Distinction that seems to have been overlooked; the Motion was not made to order this Man into the Custody of the Serjeant at Arms, but to bring him immediately to the Bar of the House, in the Custody of that Officer. In the first Case, the Order would have implied a temporary Imprisonment, but in the other it will not, for the Man may be discharged immediately. Let me also observe, that though the honourable Gentleman who has been injured, thought it his Duty to take Notice of the Offence as a Caution to others, yet he has done it in a Way least hurtful to the Offender, for he might have brought his Action at Law, which would have involved him in much greater Perplexity and Expence.

Mr T— *Le-H*— said, that he was very sensible, the Offence complained of, implied a double Guilt; that it was a flagitious Breach of the Privilege of the House, and an unprovoked Injury to a Gentleman of the most amiable and worthy Character; but that

that he was persuaded *Peter Wilson* was the last Man in the World that would knowingly have committed it; that he had known him many Years to be a worthy Member of Society, to have been honest and punctual in his Dealings, and to have moved in his little Sphere with great Merit; that the printing of the Paragraph, could happen only by his not seeing it, and that his not seeing it was the Effect not of Negligence but of Sicknefs; that he was sensible he should be brought to the Bar of the House to answer for himself, but that he hoped it would not be necessary to order him into Custody of the Serjeant at Arms for that Purpose, for, says he, I see him at the Bar of this House already, a penitent Criminal, coming voluntarily to Judgment, with a Countenance strongly expressive both of Sicknefs and of Sorrow, and ready to make such Submission and Atonement both to the House and to the honourable Member as shall be required.

The R—t H—ble Mr *A—M—* said, that no Submission or Atonement could be accepted till the Delinquent was brought to the Bar in due Form; that till then it was improper to take Notice of his being at the Bar,

Bar, or even in the House. That the Speaker, therefore, should issue an Order to have him brought by the Serjeant at Arms, without which nothing could be done in the Affair, and the less Way the Officer had to go for him the better.

The Speaker then issued such Order, and the Serjeant at Arms brought *Wilson* to the Bar. The Speaker told him he had some Questions to ask him, but acquainted him, at the same Time, that he was not obliged to answer, the Law requiring no Man to criminate himself.

The Clerk was then ordered to shew the Prisoner the Pamphlet which contained the Paragraph in Question, and he being then asked whether he was the Printer and Publisher of it, replied, that he had too much Repentance and Contrition for what he had done, to add to his Guilt, by presuming to deny the Fact to that honourable House.

The Speaker then asked him what he had to say in Extenuation of his Crime; to which he replied, that the Printing and Publishing the Paragraph, which had so justly given
Offence

Offence, was owing intirely to the Servants that he employed ; that he was himself so cautious of publishing any Thing improper, that a Proof was, by his Order, brought to him, of every Sheet, before it went to Press, and that a Proof of this very Sheet was brought to him in Consequence of such Order, but that he was so ill in Bed, that he could not read it. That as soon as he knew the offending Paragraph was inserted, he went to the honourable and worthy Member with a Letter, apologizing for what had happened, in the most submissive Manner, and offered to make any Atonement in his Power.

It was then proposed to ask him, whether after he had written his Letter, and made his Submission to Sir A— B—, he had suffered any of the Pamphlets which contained the Libel to be sold.

To this Mr R— F— replied, that the unfortunate Person at the Bar had so candidly, and with so much Contrition acknowledged his Fault, that he thought it inconsistent with the Dignity and Mercy of the House to put any Question to him, which, whether an-

swered

swered negatively or affirmatively, would carry an Imputation of Guilt. That if it was thought necessary to ascertain the Fact which was the Subject of the Question, the proper and only legal Way would be to send for Witnesses to prove it, for that no Question ought to be put to the Prisoner that would lead him to criminate himself.

The Speaker then said, that as the Question had been asked by an honourable Member, he was obliged to put it, for though no Man was required to criminate himself, by answering a Question, every one was at Liberty to ask such Questions as were thought proper.

The Question being then put, *Wilson* replied, that after writing the Letter to Sir *A—B—*, the Perturbation and Confusion of his Mind were so great that he did not think of directing his Servants not to sell the Pamphlet, and that he did not know but that they might sell it; though if the honourable Member, or any other Person had given him the least Intimation to stop the Sale, he would undoubtedly have done it.

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The R— H—ble W— H— F—.

Mr S—,

It is with the greatest Regret, Sir, that I rise up to move for the Punishment of the unfortunate Man at the Bar; Punishment, Sir, is always an Evil considered in itself, but as it prevents a greater Evil it is relatively a Good: The Pain suffered by the Criminal is no Reparation of the Injury already past, but it may prevent future Injuries from being committed. In this View of Punishment, I hope I shall not incur the Censure of causeless Severity against the Prisoner, to whom I have not the least personal Enmity, nor has the honourable Member whom he has publicly defamed. My View is to support the Dignity and Privileges of the House, and to prevent its Members from being hereafter injured, either by Wantonness or Malignity, with Respect to what the Worthy have always held dearer than Life, their *Good Name*: And, I think, there never was a Time when it was more necessary to repress the Spirit of Contumacy and Faction, than the present, Libels against the Legislative Power of Great

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Britain, as well as of this Kingdom, are every Hour swarming from the Press, and diffusing universal Disaffection and Discontent; the Proceedings of the Majority are treated with the bitterest Malignity, and most contemptuous Insult; though the Voice of the Majority is the true and constitutional Voice of the Nation; and it is with the greatest Pleasure that I take this Opportunity to declare, that I believe there never was a Time when the Majority of this House consisted of Gentlemen more distinguished both in private and public Life, for Integrity and public Spirit. It has been said, and, I suppose truly, that the Delinquent at the Bar is, in general, a Man of good Repute; and it has been also alledged, that the offending Paragraph was published without his Knowledge; but admitting even this, I think, he ought by no Means to escape Punishment; Punishment is very often justly inflicted when no Guilt is incurred; for the Law is often violated, in Consequence of an erroneous Conscience, and, in that Case, a Man, by the very Act that forfeits his Life, may give the strongest Proof of his Virtue. If that may be justly punished which is Virtue, surely that may be justly punished which is neither Virtue

nor

nor Vice, when a public Advantage is to be procured by Punishment, which can be procured no other Way. It will not, I suppose, be pretended that the Offence, of which I have complained, will be as likely to be committed again, if we punish this Man, as if we let him escape ; and, if not, it is very fit this Man should be punished, notwithstanding all that has been said in his Behalf, supposing it to be true. No Man will then be encouraged to offend by hoping to escape Punishment, if he can pretend to have been sick, and lay the Blame upon Servants, and Servants themselves will be more cautious, if they know that their Master will, at all Events, be made to answer for their Act. I must, however, observe, that there is great Reason to suspect the Sincerity of the Person at the Bar, with Respect to his Ignorance of the Fact, his Sorrow for it, and his Desire to make such Attonement as was in his Power. It appears, by his own Confession, that the Pamphlet was sold in his Shop, even after he had apologized for having printed it, to the honourable Gentleman who was most injuriously calumniated in it ; he says, indeed, that it was sold by his Servants, and that the Perturbation and Confusion of his Mind was so great, that he did not think of

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forbidding them to sell it ; but, Sir, it is very difficult to believe that if he had been truly concerned for the Wrong he had done, he would have forgot to prevent the Repetition of it. Selling the Pamphlet was the very Thing that had taken Possession of his Mind ; that it should exclude other Things is not strange, but that it should exclude itself is impossible and absurd. Upon the whole, therefore, I think it my Duty to move, that *Peter Wilson* should, for a Libel highly and injuriously reflecting on the Character of a worthy Member of this House, be committed a close Prisoner to *Newgate*.

Sir W— M—.

Mr S —,

It gives me great Pleasure, Sir, to see the honourable Member who spoke last, stand up with so spirited a Zeal, and such becoming Vehemence, for the Privileges of this House, as upon his Behaviour, on a late Occasion, I could not help fearing that he regarded them with some Indifference. I remember, Sir, and so, I dare say, does every Gentleman present, that a Complaint of Breach of Privilege was lately made against an Officer of the

Post-Office, for charging a Letter directed to an honourable Member of this House*; that was a Breach of Privilege against the whole House, this is a Breach of Privilege only against a particular Member, yet that Gentleman was much less active against the Offender upon that Occasion, than upon the present; and I remember, that though it is now moved that *Peter Wilson* for a Breach of Privilege against a particular Member be committed a close Prisoner to *Newgate*, yet *Thomas Jones*, who, by charging a Frank, was guilty of a Breach of Privilege against the whole House, was only taken into Custody of the Serjeant at Arms, and dismissed without Fees.

The R—t H—ble W— H— F—.

Mr S—,

I am very sorry, Sir, to see a Parallel drawn between a Man who has published a Libel, in Violation of the Law, and a Man who only committed a Mistake in doing his Duty, in Obedience to the Law. When *Jones* charged the Letter, he thought it ought to be charged,

* See the Debates of Day X, page 204.

but will any Man say, that, when *Wilson* published the Libel, he believed a Libel ought to be published? I was an Advocate for *Jones*, not because I was indifferent to the Privilege of the House, but because I thought the Privilege of the House had not been violated; and I am an Accuser of *Wilson* in Consequence of the same Zeal for the inviolable Preservation of the Privileges of the House which I had then, and because I think he has violated such Privileges. It has been said, that charging the Letter was a Fault committed against Parliament, and that Publication of a Libel was a Fault committed against a Member only: But surely, Sir, every Violation of Privilege is a Fault against the House: Defamation, indeed, is a Fault against the Individual, but if the Individual defamed is a Member of the House, it becomes a Crime against the House collectively, the Body naturally suffering with the Member; so that the Crime now committed is double; it is a Breach of Privilege, and, as such, it affects the House; and it is a scandalous Libel, and, as such, it affects the Individual only. The House can take Cognizance of it only as a Crime committed against it in its collective Capacity; as a Crime committed against the Individual, the Law has

given the injured Person another Remedy, which, as has been observed, his Humanity has restrained him from taking. I hope, therefore, Sir, that I have been guilty of no Inconsistency of Conduct, and that the Fact committed by *Peter Wilson* appears to be much more worthy of Punishment than that imputed to *Thomas Jones*.

Mr H— F—.

Mr S—,

Though I am very ready to acknowledge that the unfortunate Person at the Bar has been guilty of a Breach of Privilege, yet I am by no Means convinced that he is guilty of having published a Libel, as I do not think the Words of the Paragraph in Question can be brought under that Denomination; as his Fault, therefore, in my Opinion, is a mere Breach of Privilege, I think the committing him close Prisoner to *Newgate*, in the bad State of Health, of which his Looks are a sufficient Proof, will be a Punishment much more than adequate to his Crime; it will affect essentially his Character and his Constitution, and may, probably, in his present Situation, cost him his Life; I therefore hope that the Right Honourable Member will
with-

withdraw his Motion, and be content to have the Prisoner ordered into the Custody of the Serjeant at Arms.

The R—t H—ble Mr A— M—.

Mr S—,

I am sorry to say, Sir, that I am of a different Opinion from the honourable Gentleman who spoke last, and that I think the Paragraph in Question a Libel, in the full Sense of the Word. I take a Libel, Sir, to be a defamatory Writing, and I think it will scarcely be denied that a Writing, which insinuates a Man's Want of Understanding, is defamatory : Such Defamation tends immediately to destroy a Man's Peace of Mind, and remotely to ruin his Fortune : It is therefore a Crime of a very heinous Nature when committed against a private Character ; but with Respect to a Member of this House, who is intrusted by his Constituents with their most important Concerns, and has a Voice in the Legislature, it is a Crime against the State ; it tends to destroy the Confidence of the Public in their Representative, and it reflects Dishonour upon the Legislature of which he is Member. Indeed, Sir, I do not see that the Publication of the Paragraph in Question can

be a Breach of Privilege any farther than the Paragraph is a Libel ; if it is not a Libel against a Member, how is the Privilege of the House violated by its Publication ? The Paragraph purports that *A— B—*, Esq; is not the Author of the *North Briton*, because the *North Briton* is written with such Ability as Mr *B—* does not possess ; and that Nobody that knows him can suspect him to be the Author of a Work of such literary Merit : It purports also, that his voting with the Majority, who condemned the *North Briton*, is another Proof that he had no Concern in writing it. Does not this imply, Sir, that Mr *B—* is deficient in Understanding ? and is not the Mention of the Majority in this Manner an Insult that deserves Punishment ? As to the Question, What Punishment should be inflicted on this Occasion, I must observe, that it has been the constant Usage of this House to commit Persons convicted of printing or publishing a Libel to Prison ; nor can I recollect one Instance to the contrary. An Order, therefore, to commit this Man, who has been convicted, both of printing and publishing a Libel, into the Custody of the Serjeant at Arms, would be contrary to all Precedent, and the Appearance of it upon our Journals would

would, in my Opinion, have a very bad Effect. I wish, however, as little as any Gentleman present, that the Delinquent now before us should be severely treated, and, I think it may be so contrived, that an Order to commit him to *Newgate* may stand upon our Journals, and yet he may not suffer the Dangers of a Prison, which I therefore propose should be done.

Mr H— F—,

Mr S—,

The Right Honourable Gentleman who spoke last, Sir, has, in a very ingenious Manner, twined and twisted the Paragraph in Question to make it appear to be a Libel, and I hope, therefore, that I may be allowed to try if I cannot twine and twist it till it appears not to be a Libel. The *North Briton*, Sir, whatever is its Merit, or Demerit, as to its Principles and Tendency, is universally allowed to be the Performance of a Person who has acquired a Habit of writing, an Ability of expressing Sentiment, clearly, correctly, and forcibly; and this, Sir, is an Ability very different from Quickness of Conception, Soundness of Judgment, or any other natural Powers of the Mind: Sir A— B—, therefore, may be

a Gentleman of very quick Conception, very sound Judgment, and even extensive Knowledge, and yet may not have acquired the Knack of writing in the same Degree as the Authors of the *North Briton* : To say, therefore, that he had not *literary* Ability for a Work of that Kind, did not imply that he was deficient in Understanding, nor is the mere Want of *literary* Ability, a Disgrace to Gentlemen who have more important Objects of their Attention than *literary Performances*. Supposing I should read some anonymous Verses, and should say, I thought them as good as Mr *Pope's*; and suppose somebody should say they were written by Sir *A— B—*, would it be deemed any Reflection upon his Understanding, if I should say, I did not think him capable of writing Verse so well ? —

The R—t H—ble Mr *A— M—* (*interrupting him*)

It is very indifferent to me, Sir, —

Mr *F—*, (*going on without stopping*)

I therefore can never consider —

Mr

Mr M—

I beg Pardon, Sir, I thought the Gentleman had done.

Mr F—.

No Sir——the Paragraph in Question as a Libel ; the honourable Gentleman has, indeed, inferred, that it is a Libel, in the Sense of the House, from the unanimous Opinion of the Members, that it is a Breach of Privilege, and this Inference would be just, supposing the Paragraph to mention Sir A—B—, in his private Capacity only : But the Paragraph mentions him with a Sneer in his political Capacity, as being one of the Majority of this House ; and I apprehend that the presuming to publish any Inuendo, with Respect to the Majority, or Minority, of this House, is a Breach of Privilege, setting Sir A—B— intirely out of the Question. I am extremely sorry to differ from the Right Honourable Gentleman, whose Years, Experience, and Ability, must give great Sanction to his Construction of the Words in Question, but I thought it my Duty to explain my

my own Sense of them ; and as in my Sense they are not a Libel, I shall never give my Vote for sending the Publisher to *Newgate*.

The R—t H—ble Mr A— M—

Mr S——,

It is very indifferent to me what Sense the Fire and Imagination of that young Gentleman may conceive under the Words in Question ; his Sense is certainly contrary to my own, and, I believe, to that of every one else in the House. I am obliged to him for the Complement he has been pleased to pay to my Abilities, but, for my own Part, I make no Pretensions to any Thing more than a little Common Sense, which naturally understands Words in their common and natural Signification. I shall, therefore, make no farther Reply to what has been said, than to desire the Paragraph may be read, that every Gentleman may judge of its Meaning for himself.

In this Mr F— concurred, and the Paragraph was read.

Mr

Mr T— Le-H— then said, that he should be extremely unhappy, if a Vote of the House should pass for committing the Prisoner to *Newgate*, because it being *Saturday* Night, he must lie there till *Monday* Morning, which he thought would imminently endanger his Life; he was confident, he said, that his Death, as the Consequence of that Confinement, would give the greatest Affliction to every Member of the House, and to none more than to the Right Honourable Member who made the Motion, whose Humanity, Good Nature, and Social Virtues, had always distinguished him in a remarkable Manner.

Mr H— L— said, that he very highly respected the Precedents of the House, yet he did not apprehend that they were universally binding. That Circumstances were perpetually varying with Respect to every Crime, and that, therefore, the judicial Proceeding against them should vary in Proportion. That the House of Commons had a full Power either to order this Man into the Custody of the Serjeant at Arms, or commit him to *Newgate*, whatever might have been done on former Occasions, and he hoped that the Reasons which had
been

been alledged, would determine the House, not only upon Principles of Mercy, but of Justice, rather to commit him to the Custody of the Serjeant at Arms, than to *Newgate*; as Imprisonment in *Newgate* would, in the Opinion of all present, considering his present Circumstances, be a Punishment much more than adequate to his Crime, and might probably occasion his Death.

It was at length proposed, that he should be kept in Custody of the Serjeant at Arms till *Monday* Morning, and then be brought to the Bar of the House, to be dealt with as the House should think fit, which was unanimously agreed to.

It was now near Eight o'Clock at Night, and the Speaker made a Motion to leave the Chair, that Dr *L—* might sit as Chairman of the Committee for limiting the Duration of Parliaments *.

Somebody said, that it was too late to take a Bill of so much Importance into Consideration.

* See the Speech of Dr *L—*, Day III, page 39.

Mr O— W— said, he would vote for Dr L—'s taking the Chair, notwithstanding it was so late, for that he considered the Bill as of no Importance at all, as a mere Mouthful of Moonshine, a petty Trick *ad captandum Vulgus*. It was impossible, he said, that any Body should think seriously about it, and that those very Persons who brought it in, would probably be as unwilling it should pass as any Body else.

Mr A— J— N— said, that he believed this Bill, and that relative to the Roman Catholics were considered in the same Light, and that no Body ever thought either of them would pass into a Law.

In Answer to this it was urged, that the Bill in Question was in itself of very great Importance, and that therefore it was but fair to give it a hearing.

Sir C— C— * then got up, and said, that he believed those who were for proceeding

* Late Mr C— C—, now a Knight of the Bath.

upon the Bill had got their Dinners, and would therefore, have great Advantage over those who had been fasting all Day; he was of Opinion, he said, that they would have the House entirely to themselves, so that they might do what they pleased with the Bill. As to his own Part, he was sober and hungry, and could stay no longer.

Mr O— W— said, he supposed the Word *Sober*, was levelled at him, but that there was not a Man in the House more sober or hungry than himself, for that he had not eaten a Bit all Day; that, notwithstanding, he voted for taking the Chair, because he was sure the Bill would be very soon dispatched.

The Question being put, That the House do now resolve itself into a Committee, to consider of Heads of a Bill, to limit the Duration of Parliaments, it passed in the Negative.

The Question being put, that the House do resolve itself into such Committee on *Monday Morning* next, it passed in the Affirmative.

And then the House adjourned to *Monday Morning Ten o'Clock*.

M O N D A Y, *Feb. 6,* 1764.

S I X T I E T H D A Y.

Peter Wilson being brought to the Bar, in Custody of the Serjeant at Arms, was ordered to remain in Custody till To-morrow Morning and then to be brought again to the Bar of the House.

The House resolved itself into a Committee, to consider of Heads of a Bill for limiting the Duration of Parliaments; and after some Time spent therein, the Speaker resumed the Chair, and Mr B— reported from the Committee, that they had gone through the Heads of the Bill, and that he was ready to report it.

—Ordered, That the Report be received on *Wednesday Morning.*

T U E S -

TUESDAY, Feb. 7, 1764.

SIXTY-FIRST DAY.

*P*eter Wilson being brought to the Bar, by the Serjeant at Arms, and the Question being put upon the Motion, for committing him to *Newgate*, it passed in the Affirmative; and the Speaker issued his Warrant for committing him accordingly.

When the Business of the Day was over, a Petition was presented on behalf of *Peter Wilson*, then a Prisoner in *Newgate*, setting forth that he was in a bad State of Health, expressing great Sorrow for his Offence, begging Pardon of the House, and praying to be discharged.

After the Petition had been read, Sir A— B— spoke to the following Effect,

Sir A— B—.

Mr S—,

I am extreamly sorry, that the Support of
the

the Rights and Privilege of this House, and the securing its Members from wanton Defamation has rendered it necessary, in the Opinion of this House, to punish the Person whose Petition has been just read for an Offence committed against me. It has been observed by my worthy and Right Honourable Friend, who made the Motion, that Punishment is no Reparation for the Injury committed ; and I can safely say, that the Offence committed against me, has excited no Passion in my Breast, that will be gratified by the Sufferings of the Offender. If the Publication of the Paragraph, in Question, had affected me only, I should have treated it with the Contempt I thought it deserved, and not have taken the least Notice of it ; if it had had Poignancy enough to give the Wound that was intended, I should have felt the Injury, but I should, notwithstanding, have forgiven the Fault. But as it affects immediately the Honour of the House, and remotely the Honour and Interest of those whom the Impunity of this Offender may expose to other Offences of the same Kind, it was necessary that some Notice should be taken of it. But as the House has now proceeded to punish

the Crime, as the Delinquent is, in other Respects, a Man of a good Character, and as there are thought to be alleviating Circumstances in his Case, I beg to become an Advocate for him. The Ends of Punishment I hope will be sufficiently answered, if it is suspended only at the Request of the Party immediately injured; as the Hope of such an Advocate is not very likely to encourage the Crime, and as, without such an Advocate, there will be no Hope of escaping Punishment; I, therefore, humbly move that *Peter Wilson* may be discharged from his Confinement.

Ordered, That, upon the Motion of Sir A—B—, *Peter Wilson* be discharged, and he was discharged accordingly.

THURS.

THURSDAY, Feb. 16, 1764.

SIXTY-EIGHTH DAY.

DR C— L— proposed to take the Chair, as Chairman of a Committee for securing the Freedom of Parliament, by vacating the Seat of such Members, as should accept of a Place, or Pension, and for ascertaining the Qualification of Members; upon which Mr H— L— spoke as follows:

Mr H— L—.

Mr S—,

I have heard it reported that former Parliaments have sometimes introduced Bills into this House, merely to deceive the Multitude into a clamorous and zealous Approbation of their Conduct, without the least Desire or Expectation that such Bill would pass into a Law, and upon a well-grounded Presumption, that if it should get through this House it would be stopped in the Privy Council, or some other Part of its Progress. This Practice,

tise, Sir, I should be sorry to see revived, for nothing can discover a more shameful Disingenuity in the Party, nor bring greater Dishonour upon the House: with Respect to the Party it is a Fraud not less base and contemptible, than that of the itinerant Quack, who, while he is selling what is not worth a Farthing for half a Crown, harangues the Crowd that is gaping round him, upon his public Spirit, and tells them that the Preservation of their Health, and Life, is his only Motive for travelling the Country with a Monkey, and a Merry-Andrew; and, as to the House, nothing can more degrade and dishonour it, than to have its Council set at nought, and Bills, which have afforded a copious Theme to the *Cats*'s of the Day, and given them an Opportunity of sweating, in an Agony of Eloquence, for their dear suffering Country, intirely set aside, without so much as being taken into Consideration by other Parts of the Legislature. I think, therefore, that it is the Duty, and the Interest, of every Member of this House, who has really the Cause of his Country, and the Dignity of this House at Heart, to detect and expose this dirty Artifice, if ever they shall be so unfortunate as to see it practised, and at once re-
ject

ject such Bills here, as they are morally certain will be rejected elsewhere ; and I earnestly entreat, that some Day may be fixed, (and nothing to intervene) for the hearing some Sentiments which I have to offer, upon the Place Bill now proposed to be taken into Consideration.

Dr C— L— then said, that he should be extremely unhappy to be thought to have introduced any Bill merely with a View to Popularity ; or with any other View than procuring the Advantages to his Country, which he supposed would follow from its passing into a Law. That, as to the Place-Bill, he never would have proposed it, if he had not hopes of gaining it the Sanction of every Branch of the Legislature, and, that as it was manifestly calculated for securing the Freedom and Independance of Parliaments, he hoped every Gentleman, who desired they should be independant and free, would give it all the Assistance in his Power, as well in supporting it through the House, as in preventing it from being deprived of any of its original Strength and Vigour.

Mr *H—L—* replied, that he was very far from imputing any Artifice of the Kind, he had mentioned, to the Honourable Member, who spoke last; that he was too well acquainted with his Candour and Honesty of Heart to suppose any Step he took, in that House, to be directed towards any thing but the public Good. That he spoke only, in general Terms, concerning what had been done in former Parliaments, in order to put Gentlemen upon their Guard, against the like Practises for the future,

Dr *L—* then took the Chair, as Chairman of the Committee; and, in filling up the Blanks in the Qualification Bill, it was agreed that Five Hundred Pounds *per Annum* should be a Qualification of a Knight of the Shire; and when Three Hundred Pounds *per Annum* was proposed as a Qualification for a Burgefs, Mr *H—S—* said, that there were many mercantile Towns in the Kingdom, which might be properly represented by Merchants, who, by their commercial Knowledge, might be better qualified than others to promote the Interest of their Constituents; and, he observed, that a Mixture of such Persons, with Gentlemen

lemen of real Estates would be for the common Benefit of a Nation, in which a very considerable commercial and landed Interest were blended to together. He, therefore, proposed that Six Thousand Pounds should be a Qualification for a Burgeſſs, as well as Three Hundred Pounds a Year.

Mr H— L— ſaid, that the ſame Queſtion had been fully debated the laſt Year, when the ſame Bill was in Agitation; and that, in his Opinion, the Legislative Power of the Country ought to be in the Hands of thoſe who had a permanent Property in it; becauſe the Circumſtances of Merchants were fluctuating, and their Views comparatively confined. He then moved, that, as the Houſe was very thin, and the Queſtion in Debate of great Conſequence, the Chairman ſhould report that he had made ſome Progreſs, and beg leave to quit the Chair at that Time, and ſit again.

The Queſtion being put, it was carried in the Affirmative.

Ordered, That the Report of the Committee,

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tee, for considering Heads of a Bill to make
the Judges Commissions *quam diu se bene*
gesserint, be received to-morrow Morning*.

FRIDAY, Feb. 17, 1764.

SIXTY-NINTH DAY.

IN the Address, with Respect to the Ri-
fings in the North and South, the Right
Honourable Mr *W— G— H—* objected to
the Expression, *Treason against the State*, as
inaccurate, because, Treason, he said, was a
Crime committed against his Majesty, and he
proposed to insert the Words *High Treason*,
instead of *Treason against the State*.

Mr *J— H— H—*, the P. S. replied, that
Treason against the State was a proper Ex-
pression, for that Treason might be commit-
ted against the Common Wealth, as well as
against the King; and that, in this Case, the

* See the Speech of Mr *L— O—*, on the XIVth
Day, page 292.

Words, *Treason against the State*, were more proper than the Words *High Treason*, as they did in some Sort mark out the Nature of the Crime, which did not include the least Disaffection to his Majesty's Person, or Government, but consisted in a tumultuous and illegal Attempt to redress pretended Grievances.

Mr *H*— replied, that he would not insist upon the Amendment, but was still persuaded, that *High Treason* was the proper Expression, because every Offence committed against the State, supposing it a Monarchy, was an Offence against the King ;. that Treason might indeed be committed in a Republic, but even then, as Treason, it was deemed an Offence against the Government, and not against the Nation collectively. Coining of Money, he said, in a Monarchy, was Treason, as an Offence against the King, though the Subjects were immediately injured, and though there was no Pretence of Disaffection towards the King's Person or Government ; and, in a Republic, the Coining of Money was Treason, as an Offence against the Government, though the People, collectively, were the immediate Objects of the Crime. Every Breach of the Law, he said, from Rebellion
to

to Petty-Larceny, was an Offence against the King ; and the Prosecution of the Offender was always at the King's Suit; and every such Breach of the Peace, as obstructed the Duty of those who acted under the Royal Authority, and prevented the Execution of the Laws of the Country, was High Treason. He concluded, by saying that it was absurd to suppose Treason could be committed against the State, and not against the King, where the State was under Royal Government, as it was impossible to separate the Interest of the Sovereign from that of his Country ; and that he was, therefore, against the Expression, *Treason against the State*, as implying such a Separation.

Mr H—, however, withdrew his Motion.

Mr E— S— P— proposed, as another Amendment to the Address, that some Words should be inserted, expressing a Disapprobation of the Conduct of the Magistrates, who, if they had exerted themselves as they ought to have done, might, without military Assistance, have put a Stop to the Mischief at the Beginning. That military Assistance should never be called in but upon the greatest E-

mer-

emergency, for that, after performing the Service required, it had sometimes proceeded to the total Subversion of the Constitution. But mere Neglect in the Magistracy, he said, was not, he feared, all they could be charged with on this Occasion : That the Rioters would never have gone such Lengths as they had, if they had not been countenanced ; and that, Gentlemen, instead of exerting themselves against them, were even carried about the Country as a Sanction to their Proceedings.

Mr J— H— H— replied, that he thought it would be extremely improper, even upon the honourable Member's own Principles, to pass a Parliamentary Censure upon particular Gentlemen, without having received the special Report of the Committee that had been appointed to enquire into the Affair. That the Risings were notorious, and their Tendency certain ; but that the Part, which the Gentlemen on the Spot had acted, was doubtful, and could be ascertained only by the Report of the Committee, and, therefore, he said, he was against coming to any such Resolution at that Time : He hoped the special Report would be made, and then, says he, in God's Name, let every Magistrate and Officer
that

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that has deserved Censure, meet with his De-
serts.

Mr E— S— P— withdrew his Motion.

TUESDAY, Feb. 21, 1764.

SEVENTY-SECOND DAY.

THE House, according to Order, resolved itself into a Committee, to take into farther Consideration, Heads of a Bill for better securing the Freedom of Parliaments, by vacating the Seat of such Members of the House of Commons as should accept of a Place or Pension *.

Mr H— L—.

There is no Man, in this House, who has a higher Sense of the great Importance of the Independancy of Parliament to the Constitution, nor of the Right which Constituents have

* See the Speech of Mr L— O— on the XIVth Day, page 292.

to determine how far those who accept Places, or Pensions, under the Government, are disqualified from their Trust; and yet, I think, the Bill under Consideration, considering the present Situation and Circumstances of this Country, would, upon the whole, have very pernicious Effects. In the first Place, it would frequently produce all the Dissipation and Confusion, all the Animosity and Expence that the Arts of Faction and Self Interest never fail to carry into a Place for which a Representative in Parliament is to be elected: In the next Place, it would lessen the Power and the Influence of many Gentlemen who are not less distinguished for their Integrity and Publick Spirit, than for their Attachment to Government, as it would either prevent their holding an Employment by which they would acquire some Authority, or execute some publick Trust, or deprive them of a Seat in this House: And, in the third Place, it would prevent the smallest Part of those Sums that are drained from us as Salaries for Places, of Power or Trust, from being bestowed upon our Natives, and spent in our Country. I know that a Place-Bill has a plausible Appearance, and I know it is a Notion industriously propagated, and generally received, that

no

no Person who votes with the Court, votes in the Service of his Country, and that every Person, who has a Place or a Pension, implicitly votes with the Court. But, surely, the grossest Ignorance and Bigotry only can believe, that the Government proposes no Measures but what are ruinous to the Country that is governed. If Government is not thus eternally divided against itself, and subverting the very Foundation on which it stands, those who constantly and implicitly vote against the Government, give much stronger Proof of selfish and sinister Purposes than those who vote for it; and, I believe, we shall find that there are more Instances of those who have received Favours from Government, voting against a bad Measure proposed by the Court, than of those who oppose, in Hopes of being brought off by such Favours, voting in Behalf of a good one. But as Government can never be supposed to pursue such Measures only as tend to the Ruin of the State, neither can it be supposed that those who have most at stake, would be most likely to concur in those Measures. Upon the Stability of the Constitution, the very Employments which are supposed to be given as Bribes to subvert it depend, as well as the private Fortune of the

Per-

Person who holds them. No Man can receive an Equivalent from a Minister for the Loss he would suffer by the Ruin of his Country ; no Man, therefore, whatever Favours he may have received from a Minister, will concur in a ruinous Measure ; and nothing is so likely to alarm a Minister, and divert him from pursuing his Project, as the Opposition of a Dependant : The very Dependence gives Influence and Power to the Opposition, as in that Case it must proceed from Principle, and can neither be evaded nor overborn. The constant and indiscriminate Opposition to Government by those who are dignified with the Name of Patriots is not formidable to a Minister ; he knows that all but the Vulgar impute the Opposition to its true Motive, Faction or Self-Interest ; and he knows too, that if ever it is worth his while, he can buy it off. It has, however, a very pernicious Tendency upon the inferior Classes of Life, and, in some Cases, makes it necessary to govern with a Rod of Iron, by raising a Spirit which would not otherwise be governed at all ; for, as the Rabble find those whom they call Patriots, universally opposing every Measure of Government, they naturally infer, that every Measure of Government is pernicious and oppressive, whether

whether they feel it to be so, or not; and, by this Means, they become first discontented, and then tumultuous; they first despise the Laws, and then oppose them; thus we have Contumacy and Riot on one Side, and Dragoons and Penal Laws on the other: And surely, Sir, a Place-Bill will encourage the Notion from which these Evils proceed: If we make a Law that no Place-man shall sit among us, upon a Supposition that he will vote with the Court, can the Multitude fail to infer, that to vote with the Court, is to ruin the Country? Will they not consider such a Law as confirming their Opinions, and justifying their Conduct? We ought, surely, rather to lead them into other Notions, and to reconcile them to Government, by shewing that we put Confidence in it. Besides, Sir, if we pass this Bill, it is probable that the Members of this House will rather keep their Seat than accept of a Place; the Consequence of which will be, that all Places will be given to Persons on the other Side of the Water, who will neither know their Duty nor fulfill it. Gentlemen who reside among us, and have a local Interest here, must, from their Situation, be better qualified, and more inclined to discharge the Duties of a Place of Trust

or Profit, than those who have neither Residence nor Interest; and they will farther contribute to the general Emolument, by spending the Revenue of their Appointment among those that are taxed to pay it: And, let me observe, Sir, that, supposing Places and Pensions to be given to Natives, those Natives, if they had not a Seat in the House, would not live among us; they would do no Duty, and spend no Money, from which we could receive the least Benefit. I am sorry, Sir, upon this Occasion, to remind Gentlemen how very sparingly the Favours of Government are bestowed upon us already. Among four and twenty Bishops there are but six Natives; among the Judges, but three; of fourteen General Officers upon the Staff, three; and, among the great Officers of State, there is nearly the same Proportion. When this Nation, Sir, was threatened with an Invasion, it was thought necessary to raise five Regiments for its Defence, and of the Commanders of these Regiments only one was an *Irishman*; and, if this is the Case now, what Chance would the Natives of this Country stand, for having any Emolument bestowed upon them by the Government, if the Bill in Question should pass into a Law? In a

Word, Sir, the Bill would produce continual contested Elections, it would lessen the Influence of the Members of this House, it would prevent those from having Places who alone are qualified to fulfill the Duties of them, it would increase the Number of Absentees, and drain away our Money ; it would tend to produce general Weakness and Discontent, and, therefore, supposing every single Placeman to vote implicitly for the Government, which some very recent Instances shew not to be the Case, it would certainly do more harm than good, and, therefore, I humbly move, that the Chairman may leave the Chair.

Dr C— L—.

As it is always easier to answer an Argument upon the Principles on which it is formed, if it can be done, than to controvert those Principles, even supposing them to be false, I shall admit, what the honourable Gentleman who spoke last, seems to suppose, that ministerial Measures are always for the public Advantage, and that those who oppose them, under the Character of Patriots, have no View but to be bribed out of their Opposition. I shall admit, that a perpetual and causeless Op-
po-

position to Government produces all the Evils that he has deduced from it, and, from these very Premises, I shall endeavour to prove, that a Place-Bill is absolutely necessary. In the first Place, I must observe, that the honourable Gentleman has paid a very bad Complement to those that are now Place-men, and those that shall be so; for he supposes that the Government found, and will find it necessary to engage them to support good Measures, by bestowing lucrative Favours upon them. He tells us, that, if this Bill passes, the Government will have no Inducement to bestow such Favours upon the Members of this House; the Inducement, therefore, is to secure them as Advocates for Court Measures; now, upon his Supposition, that Court Measures are generally good, it follows, that these Gentlemen would not have concurred to support good Measures without a Bribe, which is rather a worse Character than that, being bribed, they supported bad Measures; for, in one Case, the natural Propensity is supposed to be right, and, in the other, it is supposed to be wrong. I confess I am not willing to think so hardly of these Gentlemen. I am inclined to believe that they would rather do Right than Wrong, supposing all foreign In-

fluence out of the Question. But we must, indeed, suppose, upon the honourable Gentleman's Principles, that those who now do right, in Consequence of being provided for, would, before, have done wrong, that they might be provided for. Now, Sir, upon this View of the Matter, the holding of Places, and Pensions, by the Members of this House, is the Cause both of the implicit Opposition to Government, on one Hand, and the implicit Concurrence with Government on the other. If no Gentleman was permitted to hold a Place, or Pension, with a Seat in this House, no Gentleman, in this House, would persist in a causeless Opposition to Government, with a View to obtain a Place, or a Pension, except he preferred the Place, or Pension, to his Seat, which the honourable Gentleman does not suppose would be the Case, for he laments that his Friends, the Place-men, would, if this Bill should pass, relinquish the Places they held. Supposing the Measures of Government, in the general, to be right or wrong, a Place Bill is equally necessary; if right, it is necessary to prevent a causeless Opposition, from interested Views; if wrong, it is necessary to prevent an implicit Concurrence from interested Views; if the Measures of Government

vernment are sometimes right, and sometimes wrong, it is necessary to suspend the Influence of the Minister by this Bill, that the Members of this House may be influenced only by the Merits of the Measure, either to oppose or espouse it. As to what the honourable Gentleman has been pleased to say against the Bill, as a Measure that will prevent our Natives from sharing any of the Revenues that we are taxed to pay, I cannot help saying that it appears to be as ridiculous as the Excuse sometimes made for Gluttony, that a great Quantity of Victuals is eaten to prevent its being wasted; as eating to excess is the worst waste of Victuals, so the bestowing the Sums raised among us, in a Manner that will divide this legislative Body into implicit Opponents to Government, and Advocates for it, without Regard to Right or Wrong, is the worst Waste of Money. An impartial Regard to the true Interest of the Public, and a candid, dispassionate, and disinterested Examination of public Measures, in this House, which must take Place, if Expectations of private Advantage from the contrary Conduct is cut off, will be a Benefit to this Nation more than equivalent to the enriching our Natives with our whole Revenue, and the keeping every Place-Man

among us to the Day of his Death. To the Reasons that I have already alledged, in Favour of this Bill, I might add the Authority of Example, in our Sister Country. Such a Law was thought necessary there, though their Parliaments are septennial, and, certainly, it would there have been thought more necessary, if the Seats of their Members had been vacated only by Death. We have been alarmed with the Evils of contested Elections, but I should think, Sir, that if a Gentleman of Fortune and Character, who has always been attentive to the true Interest of his Country, and has given his Voice sometimes for the Court, and sometimes against it, as the Measure proposed appeared to him to be good or bad, should, by any Accident, have a Place offered him, he would have very little to apprehend from an Opposition, and, consequently, that there would be very little Encouragement to oppose : If a worthless Character should be distinguished as a Favourite, a Man without Fortune and without Reputation, a Contest on his Re-election, would, I think, produce no very dreadful Consequences. The worst that are pretended, are a temporary Dissipation and Expence, Animosity and Confusion ; and what is this Dissipation and Expence, this Animo-

sity

sity and Confusion in a Borough, or even a County, in Comparison of the perpetual Opposition supposed to be kept up in this House, merely by the Possession, or the Hope of lucrative Employments? I do not, indeed, admit that all who oppose Court Measures do it only in Expectation of Court Favour, but that is the Principle of the honourable Gentleman, who spoke against the Bill, and, therefore, I chuse rather to argue upon it than confute it. But, supposing those who oppose, to oppose upon Principle, it is certain that those who adopt, adopt from Interest, for what else could cause a Difference of Conduct? It cannot be supposed that there should secretly be a Difference of Opinion, for it would be strange, indeed, if all who had received Favours from Government should, at once, see Things in a different Light, and draw different Conclusions from the same Premises. The Capacity of Gentlemen who have Seats in this House, to hold Places and Pensions, substitutes another, and a predominant Aim for that of promoting the public Interest, I mean that of private Emolument: And a Member of this House, Sir, should have Hopes of Advantage only from his Constituents, who can never use their Influence for bad Purposes; the Advan-

tage of the Constituents separately, is aggregately the Advantage of the Nation. I hope, therefore, Sir, that the Bill will not be cast aside at all, much less with the Contempt that has been proposed. I do not insinuate that any undue Influence will be exerted by the present Ministry, but the best Time to guard against the Evils of a bad Ministry, is, certainly, that in which we enjoy the Benefits of a good one. I shall, therefore, oppose the Motion, that the Chairman of this Committee should leave the Chair.

The Question being put, it passed in the Affirmative ; upon which the Chair was resumed by the Speaker,

TUES-

TUESDAY, *April 17, 1764.*

ONE HUNDRED and FIRST DAY.

Mr Y— C—.

Mr S—,

I Have in my Hand the Report of a Committee, of which I had the Honour to be Chairman, and which was appointed to enquire into the State and Management of the Work-house of the City of *Dublin*, the Annual Amount of the Funds of that House, and the Purposes to which the same are applied. I have attended this Committee, Sir, with the greatest Diligence, and I have taken all the Pains, in my Power, to make the Resolutions as ample and as authentic as possible. This, Sir, was not less my Inclination than my Duty, for, by an Act of *George the Second*, the Governors of this Work-house were obliged to take in, without Exception or Limitation, all exposed and deserted young Children, under the Age of Six Years, and I have always considered a *Foundling Hospital*, as a Charity of the first Class, with Respect to

732 *Debates relative to the* [DAY LXXII.
to public Benefit, and private Virtue, to both
which it equally contributes. It preserves for
the State many who would otherwise be born
only to weep and die; and it educates in
Christian Knowledge, and habitual Industry,
many who would otherwise be dissolute and
ignorant, at once Strangers and Enemies to
all the Duties of Virtue and Religion, a
Scourge and Disgrace to Society, and a Curse
even to themselves; wretched in this World;
by the same Vices which forfeit their Interest
in a better. To support a Charity of this
Kind, therefore, is to save not only the Body
but the Soul; and is a Benefaction not to
the Individual only, but to the World. It is
to interpose, like the Delegate of Providence,
as the Father of the Fatherless, and to snatch
from Misery those that are incapable of Guilt;
it is to make those, in the best Sense, Mem-
bers of Society, who would otherwise be no-
thing more than an Excrecence, at once
the cause of Weakness and Deformity, which
it is necessary to cut off, but which cannot
be cut off without wounding the Body. But
this Charity, however laudable in itself, how-
ever well intended, and however perfect in
its first Institution, has by some unknown and
unaccountable Causes been greatly neglected,
till

till within a very few Years, when its defects and decline fell under the Notice of a Lady, whose humane and most excellent Disposition was immediately interested in its behalf, and who proposed, as the most probable Method of restoring its original Regularity, and Usefulness, that it should be visited by some Ladies of the first Fashion by Rotation, rightly judging that the Wants of young Children, and the Neglects of Nurses fell more within the Sphere of her Sex, than of Ours. In her Visits she was punctual, and assiduous, to a Degree that sufficiently shewed the Pleasure she took in performing so tender and important an Office, and, finding herself gradually deserted by her Associates, she at length took the whole Charge upon herself, and devoted, not only her Time and Attention to it, but supported it by several Sums of Money, which from Time to Time were found wanting; she reprov'd the Offending, and encouraged the Good; she provided every Article that became necessary, and engaged the Nurses to fulfill their Duty with greater Tenderness and Assiduity to the Weak and Sickly, by pecuniary Rewards; she solicited and obtained a Benefaction to this Charity from his Majesty, and has set on Foot the Building a
Chapel

Chapel, to which the Earl of *Northumberland* has been pleased to subscribe One Hundred Pounds, well knowing that whatever promotes Religion eventually disposes Mankind to discharge the Duties of Life to themselves and others. These Endeavours have been attended with the happiest Success, the Number of those that have died since the Superintendence of this excellent Lady, has decreased almost in the Proportion of ten to one, and by the excellent Oeconomy, that she has established, many more are provided for than before with the same Sum. But the Undertaking is too extensive for a private Hand, however diligent, and for a private Purse, however liberally opened ; a considerable Sum is still due to the Nurses, for the Payment of which it is hoped this House will provide. It is also hoped that this national Assembly will, when it has heard the Report of the Committee, take the State of this important Charity into Consideration, and not only grant such Sums as shall be found necessary to pay Debts, but such as shall be requisite to extend the Plan, so as fully to answer its original Design, especially as, under such a Trustee as I have mentioned, the Money will be applied with the greatest possible Integrity and Skill.

The Resolutions of the Committee were then read, among which were the following :

“ That it appears to this Committee, that the
“ Act requiring all exposed and deserted Chil-
“ dren, under six Years of Age, to be receiv-
“ ed, has been fully complied with.

“ That due Care is taken of all such Chil-
“ dren, and for three Years last past, by the
“ particular and constant Attention of the
“ Right Honourable the Lady *Arabella Den-*
“ *ny*, (whose Directions the Officers and Ser-
“ vants are ordered to observe) every Article
“ relative to the Management of the said
“ Children, hath been conducted in the most
“ exact and proper Manner.

“ That, by the extraordinary Care of the
“ Nurses in the Workhouse, excited by the
“ Premiums given by the Right Honourable
“ Lady *Arabella Denny*, for retrieving such of
“ the Infants as are sent thither weak and
“ sickly, many of their Lives have been saved.

“ To these and all other Resolutions of the
“ Committee, the House agreed ; and ordered
“ the Report to be printed.”

The

The House also ordered, “ The Thanks of
“ the House to be given to the Right Honour-
“ able the Lady *Arabella Denny*, for her ex-
“ traordinary Bounty and Charity, in promot-
“ ing the present salutary Regulations in the
“ Foundling Side of the Workhouse of the
“ City of *Dublin* ; and that Mr *Cramer* do
“ acquaint her Ladyship therewith.”

On the 12th of *May*, his Excellency the
Lord Lieutenant came in State to the House
of Lords, and gave the Royal Assent to many
Bills, and put an End to the Sessions by the
following Speech :

My Lords and Gentlemen,

“ As the advanced Season of the Year, and
the Conclusion of the public Business, must
make you desirous of returning to your re-
spective Countries, I can, with the most en-
tire Satisfaction, put an End to this Session of
Parliament, in which your strong Professions
of Duty and Affection to his Majesty have
been amply and most honourably fulfilled.

Your steady Attention to his Majesty's
Service, and to the Welfare of his People, has
en-

enabled me to carry on the Business entrusted to me, with the utmost Ease and Satisfaction to myself; and I have no Doubt, that as you will receive just Honour and Credit, so the Kingdom in general will reap substantial and permanent Advantages from your Conduct, which has answered my most sanguine Expectations, and engaged my warmest Gratitude.

But I speak with the greater Confidence, as I have his Majesty's repeated Commands to thank you, in his Name, for the happy Temper you have preserved in your Deliberation; for the respectful and affectionate Concern you have manifested for the Honour of the Crown; the loyal and dutiful Attachment you have shewn to his Majesty's Person and Government; and the grateful Sense you have expressed of those wise and salutary Measures, which have terminated in an honourable, advantageous, and, we may hope, a lasting Peace.

Your Firmness and Resolution in declaring your equal Regard for our excellent Constitution in Church and State, and your strong and explicit Assertion of those Principles of true Liberty and sound Policy upon which it is
found-

founded, and your impartial Care in securing the legal Rights and Properties of all Orders of Men in the Nation, are particularly acceptable to his Majesty, as a clear and most agreeable Proof of your hearty Zeal for the Honour and just Prerogative of his Crown.

But his Majesty's experienced Regard for the Happiness and Welfare of all his Subjects, and the peculiar Delight he takes in the Affection and Confidence of a free People, must give you a stronger Assurance than Words can convey, that you have entitled yourselves to the certain Returns of his Royal Favour ; and that while this Behaviour is preserved on your Parts, you may depend upon all possible Countenance and Protection from a King whose Happiness is known to be so essentially connected with that of his People.

Gentlemen of the House of Commons,

I am to return his Majesty's Thanks to you particularly, for the necessary Provisions so chearfully made by you for the Support of his Government. You have shewn your Care for the Public, by the reducing the Interest, which tends gradually to the Reduction of the Principal of the National Debt : And you
may

may be assured that the Confidence you have placed in me for raising a Sum of Money to supply any Deficiency in the Funds granted by you, shall not be employed, unless the Necessity shall be apparent, as you have already experienced in the like Circumstances, under the two preceding Administrations.

My Lords and Gentlemen,

I have nothing to recommend to you, but that when you return to your several Countries, you will use your utmost Endeavours and Influence to inculcate and cultivate among your Constituents and Dependants the same Loyalty and Affection for the King, the same religious Attention to the Laws and Constitution of your Country, the same Regard for the Rights and Properties of all Parts and Members of the Community, that you have shewn to be the ruling Principles of your Conduct during your Attendance in Parliament. By reminding them of his Majesty's determined Resolution to maintain the happy Constitution they have so long enjoyed, you will engage them to rest secure in a well-grounded Confidence in his Royal Protection, and never to suffer mistaken Apprehensions of Grievances, or causeless Jealousies, to interrupt that

Tranquillity and good Order which is the Fountain of all political Happiness, the Source and Support of all Industry, Commerce and National Improvement, and is also the constant uniform Object of the best of Kings.

I know not how to express myself in Return for the most obliging and honourable Testimonies of your Approbation of my Conduct, contained in the Addresses from both Houses of Parliament ; nor for the Behaviour of the Nation in general towards me during my Residence amongst you.

The Success of my Administration is still the more pleasing to me, as I can ascribe it to the Fidelity and Probity of his Majesty's Subjects here, in which I placed a Confidence that, I find, has not deceived me. This will confirm the strong Representation I shall certainly make to his Majesty, on my Return into his Royal Presence, of your loyal and affectionate Zeal for his Service.

I shall be the more sparing in my Professions to you, as I have so much Reason to hope you are already convinced that I hold myself bound by every Obligation to exert my best
En-

Endeavours to support and promote your Welfare; and that no practicable Plan for the Service of *Ireland*, will ever be declined or neglected by me, in whatever Situation I may be placed; but none can be more agreeable to me than that in which I have now the Honour of being employed by his Majesty, and in which I have found such a Support from a loyal and affectionate People, in the Service of a most gracious King."

And then the Lord Chancellor declared, That it was his Excellency the Lord Lieutenant's Pleasure, that this Parliament be prorogued to *Thursday*, the 21st Day of *June* next, and the Parliament was accordingly prorogued to *Thursday*, the 21st Day of *June* next.

The E N D.

I have been so importuned and pressed by the
 late, and that no practicable I am for the
 service of the late, will ever be declined or
 neglected by me, in whatever situation I may
 be placed; but none can be more agreeable to
 me than that in which I have now the ho-
 nour of being employed by his Majesty, and in
 which I have found such a support from a
 loyal and affectionate People, in the service
 of a most gracious King."

And then the Lord Chancellor declared
 that it was the pleasure of the Lord Chan-
 cellor, that this Parliament be pro-
 posed to the late, the 21st Day of June next,
 and the Parliament was accordingly prorogued
 to the 21st Day of June next.

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 that it was the pleasure of the Lord Chan-
 cellor, that this Parliament be pro-
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F I N I S.

E R R A T A.

Page 354, for *P. T. S. G.* read *A. G.* Page 574, Line 8,
 for *Commiffion*, read *Petition*.

The Gentleman who took these DEBATES, being in a distant Part of the Continent while they were printing, a Speech of the R. H. G. H. which will be found in p. 640, was, by Mistake, imputed to J. H. H. the P. S. And the following Errors also escaped the Press, which the Reader is requested to correct.

- Page 1, for March 10, read October 11.
37. line last but one, instead of *for life*, read *at Will*.
51. line 1. for *Mr R. F.* read *Mr R. Fitz.*
59. line 1. for *keep*, read, *help*.
62. line 7. for *prevented*, read, *pretended*.
68. line 13. for *the*, read, *a*.
70. line 13. for *opinions*, read, *opinion*.
71. line 7. for *precept*, read, *precepts*.
79. line 20. for *Charity*, read, *Christianity*.
95. line 16. for *Wrong*, read, *no Wrong*.
110. line 4. for *Examination*, read, *Examinations*.
136. line 1. for *R. F.* read *R. Fitz.*
143. line last but one, for the *R. H.* read, the *H.*
172. line 20. for *T. H.* read *W. H.*
180. 2d paragraph, line 1, for *was*, read, *is*. line 3; for *was*, read, *is*. line 4. for *gave*, read *gives*, line 5. for *were*, read, *are*.
185. line last but one, for *dear*, read, *good*.
202. line the last, for *Mr B.* read *Mr W. B.*
208. line 4, for *Command*, read, *Commissions*.
221. line 23. for *Laws of Kingdom*, read, *Laws of the Kingdom*.
231. line 19. for *sacred*, read, *secure*.
254. line 4. for *to*, read, *in*.
308. line 6. for *Mr A. M.* read, the *R. H. Mr A. M.*
328. line 12. for *set*, read, *sat*.
340. line 8. for *Mr A. M.* read *Mr A. M.*
392. line 3. for *H. T.* read, *H. F.*
427. line 16. for *Brandon*, read, *Bandon*.
429. line 14. for *Rt H—ble W. B.* read *Rt H—ble B. B.*
448. line last, for *H. T.* read, *H. F.*
475. line 12. for *Verois*, read, *Viris*.
476. line 3. for *Verois*, read, *Viris*.
499. line 15. for *brutish*, read, *British*.
523. line 2. for *W. P.* read, *W. C.*
640. line 40. for *J. H. H. the P. S.* read, the *R. H. G. H.*
662. line 5. for *non resided*, read, *non resident*.
702. line 4. for *the Serjeant*, read, *of the Servant*.
737. line 13. for *Deliberation*, read, *Deliberations*.

A N

ENQUIRY

How far the RESTRICTIONS laid upon the

TRADE of *IRELAND*,

B Y

BRITISH ACTS of PARLIAMENT,

Are a Benefit, or Disadvantage, to

The BRITISH Dominions in General,

And to ENGLAND in Particular,

For whose separate Advantage they were intended.

AS an Introduction to this Enquiry, I shall lay down some Principles with Respect to Trade in general, which, though they should appear singular, will not, I hope, be hastily condemn'd ; and if, after an impartial and deliberate Review, they should be rejected as erroneous, I hope I shall not be thought to merit severe Censure ; for Error, as by its very Nature it is involuntary,

C c c

tary,

744 *An Enquiry concerning the Restrictions*
tary, must necessarily be innocent; and my
Intention will scarce be denied some Degree
of Merit, since I have no Wish but to benefit
my Country, by the Publication of what I
think to be true.

I shall first enquire how Trade arises, what
is its Use, when it attains Perfection, and when
it degenerates by Excess.

Trade naturally results from the Establish-
ment of Civil Society, and the gradual Disco-
very of Arts; and is absolutely necessary to the
Subsistence, Prosperity, and Defence of such
Society, as will appear from the following
Propositions.

It is essentially necessary to the well-being
of every Nation, formed of Civil Society, that
there should be a Supply of the Necessaries
of Life, with Plenty and Conveniency, and an
Ability to defend these Advantages from being
seized by others.

The mere Necessaries of Life depend on
the Cultivation of Land, and the Breeding of
Cattle, and may therefore be supplied to ma-
ny, by the Labour of a few.

As wherever there is Property, it must of
Necessity be unequally divided, at least after a
very short Time, the Poor will furnish Ne-
cessaries

cessaries to the Rich, and the Rich will subsist them for their Labour.

But as the Rich will always be the few, and as the furnishing them with the Necessaries of Life will by no Means employ the many, a great Proportion of the Poor must be without Employment, and, consequently, without Subsistence, if their Labour can be applied to no other Purposes.

Those, therefore, whose Labour furnishes the Necessaries of Life, and those who share them without Labour, are all that can subsist in any Society where artificial Wants are not introduced; for how should those who have not Property, and who are not employed for the Accommodation of others that have Property, procure Subsistence?

A Community from which these useless Hands should be ejected, might, perhaps, be as happy, possibly happier, than a Community in which artificial Wants should be introduced; but it must necessarily be small, and, consequently, weak. Its Happiness, therefore, cannot be permanent, as it will be liable to be subdued and enslaved at the Caprice of any stronger Power by which it can be invaded.

As it is therefore necessary for national Defence, that the Nation should consist of more than those whose Labour supplies the mere Necessaries of Life, and those who share them without Labour; it follows, that more must be employed, for without Employment they cannot subsist.

Thus it becomes necessary to introduce artificial Wants, the supplying which will procure Necessaries and Conveniencies to the Multitudes whom the Supply of mere natural Wants would leave unemployed, and whom a Society in which natural Wants only are supplied, must necessarily exclude.

Luxuries, therefore, are necessary, not for the sake of the Pleasure which they bring to those for whom they are furnished, but for the sake of subsisting those who furnish them, in order to secure the peaceable Possession of Necessaries, with Plenty and Conveniency to the Community.

But Populoufness alone is not always sufficient for national Defence; a considerable Number of the People must be so employed as to be peculiarly fitted for military Operations.

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A maritime Nation, and in particular an Island, must be defended principally by a Marine; it is therefore necessary that the Trade of such a Nation, or the Intercourse by which artificial Wants are mutually supplied, should be extended to foreign Countries, that it may employ much Shipping.

When such a Trade is established in any Country, as will fully employ all its Inhabitants, and would furnish Employment to still more, the Number will naturally increase.

When the Trade of any Country will not employ all its Inhabitants, the Number will naturally and necessarily decrease.

When the Trade of any Nation is such as to render it populous, by finding Employment for as many Inhabitants as it has, and as many more as it can produce; and, if a maritime Nation, with a sufficient Number employed in Shipping; such a Nation, with respect to Trade, is in the most prosperous State, and derives all the Advantage from Trade that Trade can produce.

The Acquisition of Wealth by such Trade, the great End to which it has been generally directed, and the great Advantage supposed to have been derived from it, is so far from being

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a Benefit, that it is an Evil, and is so far from
supporting Trade, that it subverts it.

If any Nation by Trade acquires more
Money, whether nominal or real, than other
Nations, Labour will be proportionably dearer
than in other Nations, and, therefore, the
Trade of that Nation, with respect to such
Manufactures as other Nations can carry to
the same Market, will be *felo de se* ; it will
be destroyed by itself ; or, which is the same
Thing, by the Wealth that it has produced.

It seems, therefore, to be a fundamental,
though an universal Error, that with respect
to *Great-Britain*, Trade is only advantageous
in Proportion as the Ballance is in her Favour,
that is, in Proportion as she procures her Im-
ports immediately by Labour, and sells her
Exports for Money. For if this should be
universally the Case, *Great-Britain* would be
undone by the very Thing that is supposed to
constitute her Prosperity and Power, the per-
petual Accumulation of Money. It is our
Interest, say Writers on Trade, to pay for our
Exports rather with Labour than Money,
because Money employs no Hands. This,
however, is a Mistake ; for *Great-Britain*
having no Mines of Gold and Silver, can have

no Money but what she procures by Labour : All, therefore, that she purchases, is ultimately purchased by Labour ; and if her Labour is first changed into Money with one Country, and in this Form changed into Commodities with another, it is Labour still ; and Industry will be equally busied to procure more Money at one Market to carry to another, as to send away Product or Manufacture in Kind, to the very Market to which they are now sent converted into Money, with this Advantage, that the Money which a Ballance of Trade with one Nation brings Home, not being retained among us, the Value of Labour will not rise so as gradually to subvert our Manufactures, consequently our Trade, by enabling our Neighbours to undersell us at the foreign Markets.

The Value of Money is wholly relative to those things which it is to purchase, and when Money, by great Plenty becomes cheap, other Things will necessarily become dear in the same Proportion. When one hundred Pound is equivalent to six Pounds a Year for ever, it will go just as far as two hundred Pounds, when one hundred Pounds is equivalent only to three Pounds a Year for ever :

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and he that possesses one hundred Pounds
when it is equivalent to six Pounds a Year
for ever, is just as rich as he that possesses
two hundred Pounds when Money has lost
half its Value by the very same Cause which
doubled his Property.
With respect to Trade, *Ireland* and *En-*
gland seem to suffer similar Evils from oppo-
site Causes. *Ireland* suffers by Restrictions
and Prohibitions which deprive its Inhabi-
tants of Employment, and consequently lessen
their Numbers, both by preventing Propaga-
tion, and driving many out of the Kingdom
who cannot procure Subsistence in it. And
England suffers by an excessive Accumulation
of Money, whether Nominal or Real, in
consequence of which, its Value being less,
more is necessary to ballance any given Quan-
tity of Necessaries, and the Price of Labour
is proportionably increas'd, so that the Ma-
nufacturer is unemployed, because the foreign
Market is supplied by those who can work
cheaper.
A Times of particular Scarcity and Plenty
there will be in every Country, but this is
wholly independant of the Relation between
the Price of Provisions and Labour, and the
Value

Value of Money. The Value of Money will be proportioned to its Scarcity or Plenty, and the Price of Provisions and Labour will always be in Proportion to the Value of Money; yet it does not follow, that the Inhabitants of any Country will, with Respect to each other, be richer when Money is Plenty, or Poorer when Money is Scarce; nor that when the Plenty of Money has advanced the Price of Provisions and Labour, they will be procured with more Difficulty, than when the Scarcity of Money rendered the Price low; for the very Cause that makes Provisions and Labour come for a little Money is, there being but little Money to Procure them, and *vice versa*. Plenty and Scarcity, with Respect to the necessaries of Life, or their Dearness or Cheapness to the Inhabitants of any particular Country, does not depend upon their Value in Proportion to the Value of Money, upon their selling for much or for a little, in consequence of Money's being either plenty or scarce; but upon the Proportion between the Worth of Labour or Art, in any Country, and the Worth or Price of Necessaries. In a Country where the Labour of an Artificer is worth two Shillings a Day,

and

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and Meat is four Pence a Pound, Meat may be said to be as cheap, as in a Country where the Labour of an Artificer is worth but one Shilling a Day, and Meat is two-pence a Pound; but if in one of these Countries, Meat by an accidental Scarcity, rises to five-pence a Pound, and in the other to three-pence, while the Price of Work or Labour continues the same, Meat may then justly be said to be dear. Thus Provisions are dear and cheap, not in Proportion to the Sum they cost, but in Proportion as they Ballance the Worth of Labour; when they less than ballance it, they are cheap, when they more than ballance it, they are dear.

I shall now endeavour to shew, that *England* and *Ireland* being one Aggregate, what distresses *Ireland*, must, in the proportion that *Ireland* bears to *England*, distress the Whole; because *England*, considered as an Individual distinct from *Ireland*, does not derive the Benefit she proposed from those Restrictions which distress her sister Country; and I shall endeavour to shew farther, that his Majesty's Dominions, including both *England* and *Ireland*, suffer by the Distresses of *Ireland*, in consequence of the Restrictions upon her
Trade

Trade, more than in the Proportion which *Ireland*, as a Part, bears to the Whole; and that the Disadvantages of *Ireland* in this Respect are eventually Disadvantages to *England*, in the same, if not in a greater Degree.

The principal Articles in which the Trade of *Ireland* is restrained, with a View to the particular Advantage of *England*, are Provisions of various kinds, manufactured Wool, Sugar, and Melasses.

By a Statute pass'd in the eighteenth Year of *Charles* the II^d. the Exportation of Cattle, Butter, and other Necessaries from *Ireland* to *England* was prohibited, with a View to keep up the Value of *English* Land, by encouraging home Consumption. The fatal Effects of this Prohibition to *Ireland* are manifest, and it has produced Effects little less fatal to *England*, instead of the Advantage she propos'd.

First, It has concurred with the Cause already assign'd to increase the Price of Provisions in *England*, by giving a Monopoly to a few breeding Counties to exact a Price for Cattle still higher than in Proportion to the Value of Money and the Expence of Breeding; in Consequence of which, it has rais'd
the

the Price of Labour, and encreased the Expence of Freight; in both which Particulars it has injured our Trade, for when the Manufacturer is paid a high Price for his Labour, and the Ship that should carry the Commodity he makes to a foreign Market is victualled at an increased Expence, we cannot sell our Commodities so cheap as our Rivals, and consequently must at length be supplanted by them. As this Monopoly, with respect to the People, is unjust, and with respect to the Trader destructive, so the Advantage to the Landholder is only imaginary.

In consequence of the Statute against importing Provisions from *Ireland*, the *English* Grazier sells *English* Cattle at a higher Price, and pays his Landlord an advanced Rent; but what, then? Both the Grazier and the Landlord lose more than they gain; as Provisions are thus made dearer to the Manufacturer, the Manufacturer will in his Turn make Labour dearer, and dear Labour will make dear Goods of every Kind. Even unmanufactured Commodities will always be sold dear in the same Proportion as Provisions are dearly bought, as has been proved, to a Demonstration, by the great Mr *Lock*, and in almost

most every Treatise upon Taxes that has been written; where every Duty has been shewn to fall ultimately on the Land-holders; upon those who cannot encrease their Revenue in proportion as Government encreases their Expence; which Traders of every Kind do, by raising the Price of the Commodities they sell in Consequence of a Tax, whether they be the very Commodities on which the Tax is laid or not*. So that if the Grazier and Landlord, after selling Cattle at an exorbitant Price, and receiving an exorbitant Rent, pay proportionably more for every Article they consume, the Ballance must certainly be against them at the Year's end.

As every Prohibition on the Trade of *Ireland* produces a Monopoly in *England*, every such Prohibition must of Necessity hurt the Trade of *England*; for a Monopoly always adds an artificial Value to the Commodity, and consequently must prevent the Exportation of it to Foreign Parts, whither the same Commodity is sent from Countries in which

* It has been computed by the most skilful Political Arithmeticians, that for every Twenty Shillings raised for Government by a Tax, the People pay Three Pounds.

it bears

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it bears only its natural Value. How would
a *Dutchman* or a *Frenchman* laugh, says *Decker*,
to hear the Wisdom of our Laws extolled
for preventing the Importation of Cattle
from *Ireland*, and Corn from any Country,
except it first bears an immoderate Price at
Home, when he reflects that in his Country,
the poor, getting Provisions from any Place
where they can be had cheapest, are enabled
to work at Prices which an *Englishman* could
not live by?

The same false Policy, however, that first
prohibited the Exportation of Provisions from
Ireland to *England*, continued the Prohibition;
the People of *Ireland* therefore applied
themselves to the breeding of Sheep,
rather than Cattle, with a View to raise
a Growth of Wool; nor did they stop
here, Manufactures were soon established,
and their Wool was wrought into Stuffs of
various Kinds, which turned to good Account.

But this was no sooner effected than *England*
took the Alarm; she knew that Labour
was cheaper on the other side of the Water,
and feared that the *Irish* would supplant
her

her in foreign Markets by selling the same Commodities at a lower Price; with a View therefore to encourage her own Manufactories, and secure them against so dangerous a Rival, she, by an Act of the tenth and eleventh of *William III.* prohibited the Exportation of Wool from *Ireland*, after it should be manufactured, except only to *England* and *Wales*.

But this Measure was so far from benefiting *England* at the Expence of *Ireland*, that, with respect to the Trade in Question, it has involved both in the same Ruin.

That it was a fatal stroke to the Manufacture of *Ireland*, in its most essential Article, needs no Proof; to shew that it was equally fatal to the Manufacture of *England*, in an Article that to her also was of the greatest Importance, it is necessary to consider the Subject in an extensive View.

It is of infinite Importance to every Nation that depends for Prosperity and Defence upon foreign Trade, to have some Manufacture or Commodity peculiar to itself, such as no other can supply the foreign Market with, and, consequently, such as may be sold at the most advantageous Price. A Nation that has such

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a Commodity, or Manufacture, in an Article
of great and universal Consumption, has an
Advantage superior to every other.

Such a national Advantage to *Great-Britain* and *Ireland* is Wool.

1st. As manufactured Wool is of universal
Consumption, it employs many Hands.

2dly. As it is a principal Article of foreign
Trade, it employs much Shipping.

3dly. As we can manufacture our Wool
without the Wool of other Countries, and as
other Countries cannot manufacture their
Wool, to the same Advantage, without ours,
Wool is a Peculiar of these Kingdoms, which
will enable us to command a foreign Market,
even though Labour should be dearer with
us than with others.

The Wool of the Southern Nations, parti-
cularly of *Spain*, is so tender and fine that it
cannot be woven into strong, thick, close
Cloth, such as is fit for general Use: The
Wool of the Northern Countries is so coarse,
and harsh, that it cannot be manufactured in-
to Cloth sufficiently soft and fine for general
Consumption: But either, being mixed with
our Wool, which, like a middle Quality, re-
duces both Extremes, may be made into ex-
cellent

cellent Cloth, that will rival our own, and if more cheaply manufactured, supplant it at the foreign Market, by selling at a less Price.

It is therefore of the utmost Importance to prevent the Exportation of our Wool unwrought, or, as the Traders and Manufacturers call it, *raw*; and many Laws were made for that Purpose both in *England* and *Ireland*.

But it being found, that several Statutes made in *Ireland* for that Purpose were become obsolete, the Parliament of *England* passed an Act, in the 12th Year of *Charles* the Second, which prohibits *Ireland* from exporting Wool to any Country but *England* and *Wales*, under the severest Penalties.

The Importance of this Act may be fairly inferred from the Act itself, for it is to be presumed, that absolute Necessity only would have induced a *British* Parliament to break through a Rule upon which the Liberty of a *British* Subject depends, "That every Country ought to be governed by Laws of its own making," and to violate the Constitution by subjecting *Ireland* to Laws made in another Kingdom.

This Law, so long as *Ireland* was permitted to export her Wool manufactured, effectually

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restrained her from exporting it raw ; and though a few obscure Persons set themselves to acquire an unlawful Gain, by smuggling away raw Wool, yet, it being the Interest of the Majority, indeed of the Country in general, to prevent it, in order to secure the Advantage of the Trade carried on by the Woolen Manufacture, they were diligently watched, and seldom escaped Detection and Punishment : These Smugglers were consequently few, and the Injury they did to the general Trade both of *England* and *Ireland*, was proportionably small.

But when *Ireland* was restrained from exporting her Woolen Manufactures, the Exportation of raw Wool became the Business not of a few, but of many ; it was no Man's Interest, merely as a Native of *Ireland*, to prevent it ; it was therefore not only conniv'd at, but encouraged ; and those who did not unlawfully export raw Wool for a pecuniary Advantage to themselves, were well pleased to see it done by others, from a Principle of Resentment and Indignation against those who had subjected them to what they could not but consider as a cruel and oppressive Law, which had not only impoverished many Individuals,
whose

whose Wealth was a common Benefit, but cut off Bread from the Mouths of innumerable industrious Poor, and, consequently, produced national Impotence and Poverty.

But the Number that derive immediate Advantage from this Practice is very great : The Persons who graze the Sheep, and who are called Flock-Masters, sell the Wool at a greater Price than it would fetch if it was not smuggled away, and it passes through several Hands, three at least, and sometimes four, before it comes into the Possession of those who privately ship it, all of whom have a Profit upon the Trade.

As the Wool smuggled away to foreign Countries, is taken by them at a very high Rate, the Price of that Commodity is so much increased, that the Natives of *Ireland* can scarce afford to manufacture it, even for home Consumption *; so that as the Act

* *Decker* says, that our Wool smuggled to Foreigners, sells at above 50 *per Cent.* Advance on the *English* Price : Yet their Labour is so much cheaper than ours, and the Proportion of their own Wool, which a Mixture of ours enables them to manufacture, so great, that when thus mixed and manufactured, they can sell the Commodity at a lower Rate than we can. *Tucker* says, that a Clergyman of the West of *Ireland* told him, that the Wool-Smugglers of his Parish got upwards of 50 *per Cent.* by the Wool that they sold to the *French*.

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for prohibiting the Exportation of manufactured Wool from *Ireland*, put a Stop to all the Looms that were employed for foreign Trade; the smuggling of Wool raw, which was the Consequence of that Act, has stopped also, in a very great Degree, the Exportation to *England* and *Wales*.

The Number of Hands that are thus deprived of Employment, and, consequently, of Mouths that are deprived of Bread, is very great; and I find it recorded, upon good Authority, that when the Woollen Manufactory in *Ireland* was destroyed, by the Prohibition to export the Work of the Loom, no less than twenty Thousand industrious Artizans left the Kingdom at once.

But the Evil does not stop even here: The great Price obtained for Wool clandestinely exported, is an Encouragement to all Owners and Occupiers of Land to put their Ground under Sheep, so that the Poor, who, in default of Manufactures, would be employed in Agriculture, are also cut off from that Resource, and the Number that cannot subsist in their native Country, is thus greatly increased. Nor is this an aggravated Representation, exhibited to answer a particular Purpose;

Purpose : The Want of Employment for the Poor of *Ireland* at Home, is so notorious, that it is well known two Thirds of the Country are uninhabited, while there are no less than fifteen Thousand of them incorporated as Mercenaries in foreign Armies. The Number employed abroad in other Capacities must be still greater, as this is certainly the least eligible, and is the Resource of those only, who can get Employment in no other. Numbers are still continuing to go out of the Island at all Opportunities, and Bread being rendered dear, by the great Quantity of Land used for the grazing Sheep, at the same time that the Labour of the Peasant is precluded, the Wretches that remain have scarcely the Appearance of human Creatures. In *England* there is no such Thing as Poverty, in Comparison of what is to be found in every Part of *Ireland*, except the Cities and principal Towns.

Nor do the Inhabitants of the Cities and principal Towns escape the Evils produced by the contraband Exportation of Wool. The Returns of this illicit Trade are always in Goods smuggled in by the same Hands that smuggle the Wool out. The Vessels

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concerned in this Trade cannot wait for any
regular Freight, but must take what they can
get; yet any Thing is better than *French*
Currency, for that is worth so much less in
Ireland than in *France*, that it would produce
a very considerable Loss. The Goods then
brought in Return for our Wool, are foreign
Spirits, and other Commodities, upon which
the King has a high Duty; and these being
smuggled on Shore, a new Train of Evils is
the Consequence; the fair Trader is injured;
and the Revenue falling short, by the non-
payment of the Duties that should support it,
new Taxes become necessary, and thus the
Smuggler's Profit comes out of the honest
Man's Pocket, whether he is a Trader or not.
The smuggling Wool, therefore, with Re-
spect to *Ireland*, depopulates and impoverishes
the Country, at the same Time that it in-
creases the Taxes, and raises the Price of bread.
It deprives the Poor of Employment, discour-
ages Industry, promotes Idleness and De-
bauchery, disposes the common People to
insult Government, sows the Seeds of Rebel-
lion, and quenches Humanity, by making
Violence, and, in some Cases, Murder, ne-
cessary to Self-Defence.

Those

Those who imagine that this Practice can be prevented by any Laws, however severe, or by any Diligence in the Execution of them, while the Temptations to continue it remain, know very little of human Nature. The Anguish of Distress, and the Sense of Injury on one Side to urge, the Prospect of Relief and Revenge on the other to invite, will furnish Motives that no human Power can controul. It is as cruel and as vain to expect that the People of *Ireland* should abstain from smuggling Wool, because it is forbidden by those who have already forbidden them to eat, by prohibiting the Exportation of it manufactured, as to expect that a Man should drown contentedly because he cannot come on Shore, without trespassing upon the Ground of him that thrust him into the Water*.

Whatever is an Injury to *Ireland*, is certainly contrary to the general Interest of that Dominion of which *Ireland* is a Part; and the general Disadvantages sustained by the

* Mr *Lack* observes, that though the Exportation of Money is prohibited in *Spain* under Pain of Death, yet the *Spaniards* furnish all the World with Gold and Silver, and have less of it themselves than any other People.

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Oppression of *Ireland* is great, in Proportion
to the Advantages that might be derived from
that Kingdom, if it was in a flourishing State:
These Advantages are immense, and, conse-
quently, the mere Interception of them, ex-
clusive of the positive Evils that accrue, is
an immense Loss and Detriment to the *Brit-
ish* Dominions in general, as will appear on
the most cursory View of *Ireland*, with Re-
spect to its Situation and natural Superiority
over other Countries. That the Natives are
naturally industrious, appears by the Read-
iness, and even Zeal, with which they came
into the Linnen Manufactory that has lately
been established among them. That, if they
could procure Subsistence, they would multi-
ply greatly, appears by their Fruitfulness,
where no Impediments restrain it. The
Country, therefore, would be fully peopled,
if proper Methods were taken to subsist its
Inhabitants; or rather, if they were suffered,
without Molestation, to exert their own Efforts
to subsist themselves: and *Ireland*, if fully
peopled, would be superior in Wealth, Pow-
er, and Influence, to any Country of the same
Extent in *Europe*, for no Country has so
wholsome a Climate, so fine, fertile, and im-
prove-

proveable a Soil, such general and commodious inland Navigation, nor Sea-Ports and Harbours so admirably adapted to a foreign Trade.

But the Prohibition laid upon the Exports of *Ireland*, with Respect to the Woollen Manufactures, and the smuggling raw Wool to *France* from thence, its inevitable Consequence, produce the most important Mischief to *England*, independant of the Disadvantages which they produce to that Kingdom, and of the Loss *England* sustains in Consequence of those Disadvantages.

It cannot be pretended that *England* encreases her Inhabitants in Proportion as she depopulates *Ireland*. If the Number of People then is the true Strength of a State, the Depopulation of *Ireland* is a neat Loss, in the most important Article, to the *British* Dominions.

But *England* is a Loser, even in the very Article of Trade which *Ireland* has been thus sacrificed to secure and increase. Every Pack of *Irish* Wool will work up at least two Packs of *French* Wool, none of which could be wrought up without it, into any Stuff that would rival us at Market. For every Pack,
therefore,

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therefore, of Wool, wrought into any such
Stuff, that would have rivalled us in a foreign
Market from *Ireland*, if her Ports had been
open, there are now three Packs so manufac-
tured. The Disadvantage, therefore, to *En-*
gland arising from the Sale of one Pack of
Irish raw Wool to *France*, is greater, as three
to one, than the Disadvantage which she
would have suffered if *Ireland* had exported
the same Quantity wrought into Cloth; with
this Aggravation, that *France*, our Rival and
Enemy, gains what we lose, instead of *Ire-*
land, a Sister Kingdom, subject to the same
Prince, and united by the same Interest.
Thus do we put a foreign and hostile State
into Possession of the Advantages which we
forego, which is just doubling our Loss, and
their Gain. Nor are these Evils the Crea-
tures of mere speculative Deduction and the-
oretical Argument; they are ev'nced by Facts
too notorious to be doubted, for *England* has
already lost the Woollen Trade to the *Levant*
intirely, her Trade to other Parts is decreas-
ing, and in many Places the Woollen Trade is
carried on wholly by other Nations, who
could have shared a very inconsiderable Part
of

of it only, if we had not furnished them with materials.

The Truth is, that while an exorbitant Currency, heavy Taxes, and innumerable Monopolies, especially that arising from the Prohibition of Provisions from *Ireland* and other Parts beyond the Sea, make Labour dearer in *England* than in *Ireland* or *France*, either *France* or *Ireland* must have the Woolen Manufacture. The *French* have it now, but *Ireland* might still recover it out of her Hands, for even now she transports clandestinely a few Camblets to *Lisbon*, where she undersells the *French*: and will *England* still continue to complement the *French* with a Trade that she denies to *Ireland*?

The third Article in which the Trade of *Ireland* is restrained for the supposed Benefit of *England*, consists of Sugar and Melasses. The Restraint was once extended to other Commodities from the Plantations, which were by Law forbidden to be carried from thence to *Ireland*, without being first entered and landed in *England*. After both *England* and *Ireland* had suffered by this Restriction more than half a Century, it was taken off, except with Respect to some Commodities that

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that were particularly enumerated in the Act
of Repeal, the principal of which were Me-
lasses and Sugar. But there is the same rea-
son for taking off the Restriction with re-
spect to these Articles that there was for tak-
ing it off from the others. While the Re-
striction was general, the Price of various
Commodities, particularly Pitch and Tar, was
so raised to the Consumers in *Ireland*, who
received them from the Plantations through
England, by the Delay and Expence of this
double Navigation, that the same Commodi-
ties could be procured cheaper from other
Countries, and the Consequence was, that
Ireland paid one hundred thousand Pounds a
Year, one Year with another, to foreign Na-
tions, for Commodities which she might have
had from our own Colonies, and which, since
the Prohibition to import these Articles with-
out landing them in *England* has been taken
off, she has from our Plantations again.

Why then should the Restriction be con-
tinued upon Melasses and Sugar? *Ireland*, to
avoid the Cost, Danger, and Delay that neces-
sarily attend the only Method in which she
can receive these Commodities from the *Brit-
ish* Colonies, procures Brandy and Sugars
from

laid on the Trade of IRELAND. 771
from *France*, for which she pays no less than one hundred and fifty thousand Pounds *per Annum*.

By the Trade with *France* into which *England* has driven her sister Nation, she has drawn upon herself two very considerable Disadvantages; in the first Place, she has intercepted one hundred and fifty thousand Pounds a Year which would otherwise have gone to her Colonies, and in the second Place, she has encreased the Power of *France* to supplant her Trade; for *France*, in return for Brandy and Sugar, takes *Irish* Beef, against which *England* has shut her own Ports; this Provision being procured at a low Price, *French* freight is made cheap in Proportion; thus the *French* victual their Ships upon better Terms than *England* can do from her own Coast, and she not only suffers it, but makes it necessary. Without *Irish* Beef, says *Decker*, the *French* could not well victual their Ships at all, and this supply of *Irish* Beef actually enables the *French* to undersell *England* in the Sugar trade in *Europe*.

If *England* would effectually prevent *Ireland* from interfering with her Trade as a Rival, she should rather endeavour to enrich
than

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than to impoverish her, in Consequence of
which, the Price of Labour would rise; at
the same Time, *England*, by availing herself
of *Irish* plenty, might reduce the Price of
Labour at Home.

If *England* was to open her Ports for *Irish*
Provisions, and suffer *Ireland* to export her
Manufactures, the Price of Labour in both
Countries would be brought nearer to a Bal-
lance: and *Ireland* would consequently be less
able to supplant *England* in the foreign Mar-
ket. Besides, if *Ireland* was allowed to export
her Wool manufactured, and the smuggling
away her raw Wool was thus prevent-
ed, the whole foreign Market would be secu-
red to us, which *England* must of Necessity
furnish with two Parts in three of the Wool-
len goods sold there, for the following mani-
fest Reason. One thousand Stone of *Irish*
Wool produces three thousand Stone of Ma-
nufacture. If the *Irish* therefore worked up
their Wool, they could Manufacture but one
third of that Quantity, but as the demand for
Cloth abroad would be the same, there must
then remain two thirds of the Demand unsa-
tisfied; This Demand foreigners cannot sup-
ply from the nature of their Wool, and conse-
quently

quently *England* must; into whose hands two thirds of the present Woollen Manufacture of *France* would therefore necessarily fall; thus not only *England* in general would be benefitted, but even the Growers and Manufacturers of Wool, by a Repeal of the very Law that has oppressed *Ireland* with a View to their Advantage.

But if *England* could not share this Trade with *Ireland*, it would be her Interest to let *Ireland* enjoy it alone, because she has no Alternative but to transfer it to *France*. If *England* should be in Distress she will find a Resource in *Ireland* for Relief. If she should part with a proportion of her Strength to *Ireland*, it will still be exerted in her Behalf, for her Advantage and Defence; but if she parts with it to *France*, it will be employed against her, to her Disadvantage and Ruin.

As *England* and *Ireland* are one Dominion, though two Kingdoms, it is the greatest Absurdity imaginable to suppose, that what injures a part, can benefit the Whole; that a Measure which enfeebles, depopulates, and depresses one third, can render the Aggregate strong, populous, and flourishing.

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Public Happiness, and public Wealth, are Terms under which Mankind in general seem not to have conceived any definite and distinct Idea. Happiness in a political View, and as far as it can be produced and secured by civil Institution, is the Enjoyment which arises from the Gratification of natural Wants, and such Wants as universal Habit has superinduc'd, with Plenty and Conveniency: As the Public is nothing more than an Aggregate of Individuals, public Happiness must be in proportion to the Number of Individuals who possess these Advantages, and the Degree in which they are possessed. Public Wealth is a general Ability to procure these Advantages; and Trade is the Cause and Medium of public Wealth, (*i. e.*) it is that which produces and circulates it. Public Happiness therefore, does not consist in any of the splendid and expensive Vanities, which in the nature of Things, can be possessed but by a few; nor is public Wealth in Proportion to the Quantity of Money brought into and left in the Country from abroad. There may be great national wealth, in this Sense, without a general Ability to procure the Necessaries of Life with Plenty and Convenience; nay, this

this Ability will be less general in proportion as national Wealth, in this popular but fallacious sense of the word, becomes greater; Poor and Rich being relative terms, the Poor must always be poor, in the same Degree that the Rich are rich; but the Rich do not gain by Wealth in the same proportion as the Poor suffer by Indigence: He that has been long used to dine upon Plate, is no happier than if he dined upon Pewter; but he that cannot satisfy Hunger, is certainly much less happy than he that has plenty of wholesome Food. Neither indeed are those who are comparatively Rich gainers by that increase of Property which rises from the increase of Money brought into the Nation and left in it by Trade, for the Reason that has been assigned already; the same Cause that encreases their Property, proportionably encreases their Expence. Nothing, for instance, can encrease the Value of Land, that will not proportionably encrease the Price of whatever the Rent received for such Land can buy. Of this Truth the Writers upon Trade seem sometimes to have had a glimpse, and then to have lost sight of it again; for it is common to find the same Advocate for Trade, when

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he is recommending it as a general Benefit, make court to the country Gentleman by telling him that it will encrease the Value of his Land; and when any method is proposed to encrease the Value of Land, which he thinks hurtful to general Trade, he is very ready to remind his old Friend, that by such encrease he can gain Nothing.

Trade is the medium of public Wealth, in the true sense of the Word, only when it produces a general Ability to procure such things as are become generally Necessary, whether by Nature or Habit. To do this, the Trade of every Country must be such as fully to employ all its Inhabitants. In a Country where all are employed, none can suffer by Indigence; where few are employed, the few are too many; where many are employed, the many are too few.

Every Measure, therefore, which lessens Employment in one part of a Kingdom, that those who are employed in another part of it may get more Money, is not less absurd than cruel; those who are left idle must starve, those whom a Monopoly enables to set a factitious Value upon any Manufacture or Commodity will get Money indeed, but
cannot

cannot be rich, for every Monopoly necessarily encreases the Expence of Life.

It is manifest, therefore, that the Laws which leave the Inhabitants of *Ireland* without Employment, have an immediate and necessary Tendency to diminish the Strength, Happiness, and Prosperity of the whole *British* Dominions, and are hurtful even to *England* herself.

It must be remembered, that as the Inhabitants of every Country, where all are fully employed, will necessarily increase, the Strength of such Country must encrease also: And national Strength will not only secure Advantages already possessed, but compell others; as it will render the Attempts of an Enemy unsuccessful, it will also prevent them; and thus the same Cause that circulates the Blessings of Peace, will prevent the Calamities of War.

If Power, therefore, is advantageous to a State, so is extent of Dominion; for the same Number of People cannot live upon ten Acres of Ground that can live upon twenty. It must then be admitted, that if the Number of Acres in *England* was doubled, and the whole was fully peopled, and the People fully

employed, the Aggregate of Happiness and Strength would be great in Proportion. Will not *Ireland*, therefore, secure to us all the Advantages arising from Increase of Territory, if *England* does not depopulate it; by cutting off Employment, and consequently Bread, from its Inhabitants? And can *England* procure any partial Benefit by Treatment so injurious and cruel, in Proportion to the Loss of such Territory and its Advantages? Though the Sea divides *England* from *Ireland*, both are subject to the same Sovereign, Parts of the same Dominion, have the same Friends and the same Enemies, are connected by a common Interest, and produce the same Articles of Commerce. *England*, in making Laws to make *Ireland* poor, says Sir Francis Brewster, in his *Essay on Trade and Navigation*, acts just like a Man who should set his House on fire that he might burn his Neighbour's.

Is *Ireland* a distinct Kingdom? So was *Yorkshire* in the Time of the Heptarchy? Is *Ireland* distant from *England*? Several Counties in *England* are still more distant from each other, and the Communication between them is not so easy, with Respect to Commerce,

merce, as the Communication between *England* and *Ireland*. *Ireland* is more advantageously situated for the *West-India* Trade than *England*. Is that a Reason why the *West-India* Trade should be confined to *England*? It is the general Interest to direct Trade where it can be best carried on, and not to make the Facility of carrying it on at one Place, a Reason for transferring it to another. *Bristol* is better situated for the *Irish* Trade than *London*, should *London*, therefore, petition that the Port of *Bristol* should be lock'd up?

Suppose *England* itself was divided into two Kingdoms, one comprehending all the South, the other all the North Side of the *Thames*, and there were hostile Prohibitions against importing certain Sorts of Goods from *London* to *Southwark*, and from *Southwark* to *London*, and high Duties upon all the rest; would not the Community manifestly suffer? and is not the Case exactly parallel with Respect to the two Parts of the *British* Dominions that lie on opposite Sides of the *Irish* Channel,

Postlethwaite, a sensible Writer, justly observes, that every Argument which can be formed to prove that any certain

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Branch of Trade should be confined to one Part of the *British* Dominions, which might be carried on with equal Convenience at another, against rival Nations, will prove, that such Part should itself be divided. If *England* argues that *Ireland* should have no Trade in manufactured Wool, it may be argued against *Yorkshire*, by the rest of *England*, that this County should be excluded too ; by pursuing this Argument, the Manufacture may be hunted down into one County, thence into one Town, may even to one House, and in that House to one Manufacturer. The general Interest will suffer by the Exclusion in the same Proportion that the Part excluded bears to the whole.

As it is manifest, for the Reasons already assigned, that *England* can secure no Advantage to the *British* Dominions in general, nor to herself in particular, by restraining the Trade of *Ireland*, it is natural to enquire whether the Advantages which she proposed by this Measure can be procured any other Way.

It has been shewn, that the Prohibition of *Irish* Cattle was intended to increase the Value of *English* Land, and that raising the Value

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lue of *English* Land is no Advantage to *England* in whatever Degree it may be effected.

It has also been shewn, that the Prohibition to export manufactured Wool from *Ireland*, was laid on, that the Manufacturers of *England* might have a Monopoly in that Article; that *England* manufactures less Wool since this Measure than before; and that she has given to *France* all that she has taken from *Ireland*, instead of securing it to herself.

As to Melasses and Sugar, it has been proved, that instead of procuring any Advantage from the first landing such of these Commodities in *England*, as were to be consumed in *Ireland*, *England* has sent *Ireland* from her own Plantations to another Market.

And it is plain that these Measures were originally suggested by the great Difference between the Price of Labour and Necessaries in *Ireland* and *England*; to bring the Price of Labour and Necessaries nearly to an Equality in both Countries, is, therefore, the only Means of procuring the Advantages which were intended by restraining the Trade of *Ireland*, and which restraining that Trade can never produce.

Many Methods of doing this have been suggested. *Postlethwaite* advises the Cultivation of more Land; others, the Abolition of Taxes. A critical Examination of this Subject cannot be expected here, but it is not altogether foreign to the Design of this Tract, to shew that one very considerable Cause of the Dearness of Labour, and the Necessaries of Life in *England*, results from the Methods she has taken to procure those very Advantages which the high Price of Labour and Necessaries preclude, and particularly from the innumerable Monopolies which she has established with a View to engross Trade, and increase Money.

In Sir *Matthew Decker's* Essay on the Causes of the Decline of foreign Trade, he has observed that the *Dutch*, though more taxed in the Necessaries of Life than any other People in the World, beat us out of our Trade, by fabricating the same Manufactures for less Money; and to shew how this happens, he exhibits the following State of the Disadvantages of an *English* Woollen Manufacturer, in Comparison with the Woollen Manufacturer of *Holland*.

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The Disadvantages of the *English* Manufacturer, are,

1st. He must buy Bread made of *English* Corn, though dearer than foreign. Thus the Farmer has a *Monopoly* against the Manufacturer, and all Monopolies enhance the Price of Goods.

2^{dly}. He has no Drawback upon his Corn.

3^{dly}. He has no Drawback on his Malt.

4^{thly}. He has no Drawback on his Leather.

5^{thly}. He pays a Duty on his Coals of 10s. a Chaldron in *London*, and 5s. a Chaldron in the out Ports.

6^{thly}. He must buy *English*-Beef, Pork, Mutton, Lamb, and Butter, though he can have IRISH CHEAPER. This gives the Grazer a *Monopoly* against him to make his Meat dear.

7^{thly}. He must buy Fish caught by *British* Vessels (except a few Ports) though he can have it cheaper from the *Dutch* and *French*. This gives the Fisherman a *Monopoly* against him to make his Fish dear.

8^{thly}. He must not buy foreign Hats, Cloths, Stuffs, Stockings, or any coarse Woollen Goods for his own Use that are cheaper than *English*, even though he could sell his own to greater

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greater Advantage than wearing them himself. These several Branches, therefore, have a *Monopoly* against him, and the rest of the Nation, to make all Sorts of Cloathing dear.

9thly. He must not buy *French* Linnen for his own Use, however cheap, by which the Linnen Countries have a *Monopoly* against him to make his Linnen dear.

10thly. He must not buy, for his own Use, foreign Sheermen's Sheers, Iron, or Tin-Wares, however cheap, which gives the Manufacturers of those Wares a *Monopoly* against him, to make his Utensils of Iron and Tin dear.

11. He must not procure several Sorts of Goods, which are imported for his Use, at the cheapest Market, but only at the usual Ports of Shipping; thus particular Ports have a *Monopoly* against him to make these Goods dear.

12. He must not have these Goods shipped at the cheapest Freights, but must ship them on *British* Ships or Ships of the Country, and at the usual Ports, by which these Ships have a *Monopoly* against him, to make these Goods still dearer.

13. He has heavy Customs to pay on the Oil and Soap he uses in manufacturing his
Goods

Goods, which contributes to enhance their Price.

A *Dutch* Woollen Manufacturer is in a Situation just the Reverse of this; his Advantages are,

1. He buys always the cheapest Corn that can be got to make Bread, and has *no* Corn Monopoly upon him.

2. He has 5s. a Quarter Drawback on *English* Wheat: computing Freight and Charges at 1s. 6d. per Quarter, he is fed by the *English* cheaper than their own People by 3s. 6d. in every Quarter of Wheat.

3. He has 2s. 6d. a Quarter Drawback on *English* Malt, to make his Drink come cheaper to him than to our own People.

4. He has a Penny in the Pound Drawback upon *English* Leather.

5. He has *British* Coals at three Shillings a Chaldron Duty, which is two Shillings cheaper than the out Ports, and seven Shillings cheaper than the *Londoners*.

6. He may buy Beef, and other Provisions, in *Ireland*, or any Country where they may be had cheapest, so that he has *no* Monopoly upon him in these Articles.

7. He may buy Fish of any that sell cheapest,

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est, so that he has *no* Monopoly upon him in
that Article.

8. He may buy and wear the cheapest
Woollen he can get from any Country; and
if he can buy cloth for his own use at four
Shillings a Yard, he will, provided he can sell
his own at five; *no* branch of this Trade
therefore has a Monopoly against the rest of
the people.

9. He may buy the cheapest Linnen he can
get; *no* Country therefore has a Monopoly
against him in this Article.

10. He may buy the cheapest Iron and
Tin-ware he can get; and so has *no* Monopoly
against him in these Articles.

11. He may procure all goods Imported
for his use where he will; so that *no* particular
Port has a Monopoly against him.

12. He may Ship all Goods in the cheapest
sailing Ship, so that *no* Shipping has a Monopoly
against him.

13. The Price of his goods is not raised by
heavy Customs on Oil and Soap.

It remains only to be Observed, that the
importation of Provisions from *Ireland* would
answer the same purpose immediately, that
the cultivation of more Land would answer
only in a long process of Time, if at all.

That this Trade would greatly encrease Navigation, as it would be wholly carried on in *English* and *Irish* bottoms.

That it would carry into *Ireland* in return for Provisions, great quantities of *English* articles of Trade, as well Necessaries as Superfluities.

That it would prevent a Trade of the like kind to *France*, which enables her to support her *West India* Islands and victual her Fleets, and at the same time, brings into *Ireland* from *France* many Articles which *England* would otherwise furnish to her sister Country.

And that it would prevent the Exportation of raw hides to *France* which come back to *England* manufactured into Leather, and of Tallow in great quantities, which is essentially necessary in Ship-building. These Articles always going to *France* with Provisions, because intire freights of Provisions are seldom made upon shipping.

The Restrictions upon the Trade of *Ireland* will appear from the following Extracts of *British* Statutes; and the arguments that have in this Essay been applied to the principal Articles, will be found equally conclusive with respect to the rest.

Ex-

EXTRACTS of British STATUTES
relative to WOOL.

No. 1. Stat. 8 *Eliz.* Cap. III. Sect. 1.

NO Person shall send or take into any Ship any Rams, Sheep, or Lambs, alive, to be carried out of any of the Queen's Dominions, upon Pain that every such Person, their Abettors, &c. shall for their first Offence forfeit all their Goods, half to the Queen, and half to him that will sue.

Sect. 2. Every such Offender shall suffer Imprisonment one Year, and at the Year's End, shall, in some Market-Town, in the Fullness of the Market, have his left Hand cut off, to be nailed up in the openest Place of such Market; and every Person, afterwards offending against this Statute, shall be adjudged a Felon.

No. 2. Stat. 13 and 14, *Car.* II. Cap. 18,

Sect. 7. No Person shall press together with Screws, or other Engines, into any Sack, Pack, or other Wrapper, or shall put or pack any Wool, or Yarn of Wool, into any Hog-head, or Chest, or other Cask or Vessel, or shall carry or lay near the Coasts of the Sea or any navigable River, or any Place near ad-
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joining, any Wool, Wool-Flocks, or Yarn of Wool, with Intention to export the same out of *England, Ireland, Berwick, or Wales*, into foreign Parts, under Penalty of Forfeiture of all such Wool, &c. or the Value thereof.

SECT. 8. No Tobaccco-pipe Clay shall be exported out of *England, Ireland, Berwick, or Wales*, into foreign Parts, or into any Place out of the Kingdom, under the Penalty of three Shillings for every Pound.

SECT. 9. No Packs, Sacks, Bags, or Casks of any Wool, Wool-Fells, Mortlings, Shortlings, Yarn of Wool, Wool-Flocks, Fuller's-earth, Fulling-clay, or Tobacco-pipe Clay, shall be loaden on any Horse or Carriage, nor conveyed by Land, within *England or Ireland*, but in the Day Time, and at seasonable Hours, viz. from the first of *March* to the twenty-ninth of *September* yearly, between four in the Morning and eight in the Evening; and from the twenty-ninth of *September*, to the first of *March*, between seven in the Morning and five in the Evening; under Penalty of Forfeiture of such Goods, or the Value thereof; half to the King, and half to him that will sue.

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Sect. 10. This Act shall not make void any Clauses in 12 Car. II. cap. 32. or prohibit the Loading on Board of any Ship any Weather-Sheep, Wool, Wool-flocks, or other Goods that by the aforesaid Act is permitted, for the Use or Provision of such Ship.

No. 3. Statute 7 and 8 W. III. Cap. 28, Sect. 5. It shall be lawful for any Person, from the Places in the said Act limited, to import into *England* from *Ireland* any Quantities of Wool to the Ports hereafter mentioned, viz. *Whitehaven, Liverpoole, Chester, Bristol, Bridgewater, Minehead, Barnstaple, and Biddeford*, and to no other.

Sect. 6. The Commissioners or Farmers of the Customs in *Ireland* shall once every six Months transmit unto the Commissioners of Customs in *England*, an Account of all Wool exported from any of the Places in *Ireland*, from whence the same may be exported, the Quantity and Weight thereof, and by whom, and in what Ships, and where consigned, and the Names of the Persons signing the Certificates of the landing the same in *England*, and the Date of the Certificates, and where the same was landed, as also the Quantity contained in the Certificates.

No. 4.

No. 4. Statute 9 and 10, *W. 3.* Cap. 40, Sect. 2. No Fuller's-earth or scouring Clay shall be exported out of this Kingdom, *Wales*, or *Berwick*, into *Ireland*, or any other foreign Parts, but the Exporters being convicted shall be liable to the Forfeitures of one Shilling for every Pound,

No. 5. Statute 10 and 11, *W. III.* Cap. 10. Sect. 1. No Person shall export from *Ireland* into any Places other than the Parts within *England* and *Wales*, any Wool, Wool-fells, Shortlings, Mortlings, Wool-flocks, Worsted Bay or Woollen Yarn, Cloth, Serge, Bays, Kerseys, Says, Prizes, Druggets, Cloth-Serges, Shalloons, or any other drapery Stuffs, or Woollen Manufacture, made up or mixed with Wool or Wool-Flocks, or shall load upon any Horse or Carriage, or lay on Board any Ship, in any Place of *Ireland*, any such Wool, &c. to the Intent to export the same, except as aforesaid.

Sect. 2. All Offenders as aforesaid shall be subject to the Penalties following, *viz.* the Wool, &c. shall be forfeited, and the Offenders shall forfeit 500*l.* and every Ship or Bottom wherein any of the said Commodities shall be shipped, shall be forfeited; and the

Masters and Mariners, or any Porters or other Persons, knowing such Offence, and assisting therein, shall forfeit 4*ol.* of which one Moiety shall be to him that shall sue in any Court, in *England* or *Ireland*; and the other Moiety to the Encouragement of setting up the Linen Manufactures in *Ireland*, to be disposed of by the Court of Exchequer there.

Sect. 3. No Acquittal, nor any Suit, (unless the Offender be thereupon convicted) in *Ireland*, for any Offence provided against in this Act, shall be pleaded in bar or Delay of any Suit or Prosecution in *England*.

Sect. 4. It shall be lawful for any Person to seize and convey to his Majesty's next Warehouse, all such Wool, &c. as he shall discover to be laid on Board any Ship, or to be carried or laid on Shore near the Sea, or any navigable River, to the Intent to be exported out of *Ireland*, contrary to this Act, or be laden upon any Horse or Carriage, to the Intent to be exported, contrary to the Intent hereof; and it shall be lawful for any Person to seize every such Ship wherein any of the said Commodities shall be shipped, contrary to this Act.

Sect. 5.

Sect. 5. For every Ship which shall sail from *Ireland*, in order to export any of the Commodities aforesaid to this Kingdom, Bond shall be given by two known Inhabitants, of or near the Place, to the chief Officers of the Customs belonging to the Port in *Ireland*, in double the Value of the Goods, before the Ship shall be permitted to lade any of the Commodities aforesaid, with Condition, that if the Ship shall take on Board any of the said Goods in *Ireland*, all the said Goods shall be brought by the same Ship to some Port in *England* or *Wales*, and shall there unload the same, and pay the Duties thereof, the Danger of the Seas excepted ; and every Ship which shall lade any of the said Goods untill such Bond be given, shall be forfeited as aforesaid.

Sect. 6. A Register shall be kept at the Custom-House in *London*, of all the said Goods imported from *Ireland* into any of the Ports either of this Kingdom or *Wales*, with the particular Qualities and Quantities thereof, the Masters and Owners Names, and to whom consigned.

Sect. 7. All Cockets and Warrants for carrying the said Goods from *Ireland* to any Port in this Kingdom, shall be written upon Paper,

and not Parchment, and signed by three of the chief Officers of such Port; and all Certificates of landing the same shall be signed in like Manner; and all the Goods aforesaid, both at shipping and landing, shall be examined by the Surveyor, or Searcher, or Landwaiter attending the Shipping or Discharge; and the Quantities and Qualities, Marks and Numbers, shall be indorsed upon the Cocket, and upon the Warrant for landing the same, and also upon the Certificates given for discharging the Bonds taken in *Ireland*.

Se^ct. 8. The Commissioners of the Revenue, or Farmers of the Customs or Revenue, of *Ireland*, shall once every six Months, or within thirty Days after the End thereof, transmit unto the Commissioners or Farmers of his Majesty's Customs in *England*, an Account of all such Goods exported from *Ireland*, the Qualities and Quantities thereof, and Duplicates of the Bonds taken for lading the same, and by whom and in what Ship exported, and to what Port in *England* or *Wales* consigned, and the Names of the Persons signing the Certificates of the landing the same, and the Date of the Certificates, and where the same was laden, and the Qualities and Quantities,

Quantities, Marks and Numbers, contained in the Certificate.

Sect. 9. All such Certificates shall be written upon Paper, and not Parchment, and the Quantities and Qualities, Marks and Numbers, shall not be obliterated or interlined.

Sect. 10. All such Goods exported from *Ireland* into this Kingdom, or *Wales*, shall be shipped off at the Ports of *Dublin*, *Waterford*, *Youghal*, *Kingsale*, *Cork*, and *Drogheda*, and from no other Port; nor shall be imported into any Parts of *England* or *Wales*, other than *Biddiford*, *Barnstable*, *Minehead*, *Bridgwater*, *Bristol*, *Milford-Haven*, *Chester* and *Liverpoole*.

Sect. 11. If any Commissioner or Farmer of the Revenue of *Ireland*, or Officer employed under them, shall suffer to be taken any Entry outward, or sign any Cocket, Warrant, or Sufferance, for the Shipping any such Goods, except as aforesaid, or shall willingly permit the same to be done, such Commissioner, &c. signing such Cocket, &c. or passing such Entry, or conniving thereat, or who shall neglect to perform all other Duties required by this Act, shall forfeit his Office, and 500*l.* to be recovered as aforesaid.

Sect. 12. Every Offence contrary to this Act may be enquired of, heard, and determined in the County where any such Goods shall be laden or put on Board, or in the County, either in *England* or *Ireland*, where such Offender shall be apprehended for such Offence, or where any of the Goods, or the Ship shall be seized or brought in, and the Trial shall be in such Manner as if the Offence had been done in the same County.

Sect. 13. If any Action shall be commenced against any Person, for what he shall do in Pursuance of this Act, such Person may file common Bail, or enter a common Appearance, and plead the general Issue not guilty, and if the Plaintiff become non-suit, &c. shall recover treble Costs and Damages.

Sect. 14. It shall be lawful to import from the Ports of *Dublin*, *Waterford*, *Youghall*, *Kingale*, *Cork* and *Drogheda*, any Wool, &c. into such Ports of this Kingdom as aforesaid, so as Notice be first given to the Commissioners of his Majesty's Customs in this Kingdom, or to the Customer or Collector in the Port to which the same is to be brought, of the Quantity, Quality, and Package, with the Marks and Numbers thereof, the Name of the
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Ship and Master, and the Port into which they are to be imported, and so as bond be first entered into to the use of his Majesty, with one or more Sureties in treble the Value of the Goods, that the same shall (dangers of the Seas excepted) be landed accordingly, and so as a Licence be first taken under the hands of the Commissioners of the Customs, or from the Customer or Collector where such Bond is given for landing thereof, which Licence they are to grant without fee.

Sect. 15. The penalties of the Bonds to be given in *Ireland* for any of the Commodities aforesaid to be brought into this Kingdom, shall not be granted over; and all such Grants shall be void.

Sect. 16. The Commissioners for executing the Office of High Admiral, shall appoint two Ships of the fifth Rate, and two of the sixth Rate, and eight armed Sloops, constantly to cruise on the Coasts of *England* and *Ireland*, particularly between the North of *Ireland* and *Scotland*, with orders to seize all Ships which shall export Wool with intent to carry it into foreign Parts; and the Commissioners aforesaid shall send a List of such Ships and Sloops, and the Names of the

Commanders, with Copies of their Instructions, to the Commissioners of the Customs in *London*, within ten Days after such Orders given.

Sect. 17. All Wool, Ships, or Boats, so seized, shall be forfeited, and such Wool shall be lodged in the King's warehouse in such Port where it shall be seized, or into which it shall be brought, and being condemned, shall be exposed publickly to Sale after 21 Days notice being given in writing at the Custom-house of the Port, and on the *Royal Exchange of London*, by inch of Candle, to the best Bidder; and all Ships that shall be Condemned as aforesaid, shall be exposed to Sale in like manner; and one fourth part of the Produce of the Wool, Ships, and Boats, shall be to the Commander, one other fourth Part to the Officers of the Ship that took the same, one other fourth part to the Mariners, to be equally divided by the Collectors of the Port, or such Persons as shall be authorised to pay the same; and the other fourth Part to his Majesty, after a deduction made out of the last fourth Part of all the charges of Prosecution.

Sect. 18. Every Commander of such Ship,

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or Sloop, neglecting his Duty, or compounding for any Wool, Ship, or Boat, or conniving at the exportation of Wool, shall forfeit all Pay due, and suffer six Months imprisonment, and be incapable of serving his Majesty in any Office in the Navy.

Sect. 19. No Wool, &c. of the product or Manufacture of any of the *English* Plantations in *America* shall be laden on board any Ship in any of the *English* Plantations; as likewise no such Wool, &c. being of the Product or Manufacture of the *English* Plantations in *America* shall be laden upon any Horse or Carriage, to the intent to be exported or conveyed out of the said Plantations to any other of the said Plantations, or to any other place, upon the like penalties upon every Offender as are provided by this Act for the like offences in *Ireland*; and all Governors of the Plantations, as also all Officers in the Revenue there, are required to take care that this Act be put in execution.

Sect. 20. Persons who shall be guilty of any offence contrary to any Act of Parliament made for preventing the exportation of Wool, may be prosecuted in any of his Majesty's courts at *Westminster* and a Capias shall
issue

issue, the first Process, specifying the Sum of the Penalty ; and such Persons shall give good Bail, by natural born Subjects or Denizens, to appear in the Court at the Return of such Writ, and shall likewise give Bail by such Persons as aforesaid in Court, to answer the Penalties in Case they be convict, or to yield their Bodies to Prison.

Sect. 21. The Lord Lieutenant, or Lords-Justices of *Ireland*, are required to give Direction in Council, that this Act be given in Charge by the Judges at all the Assizes; which Judges are to take particular Accounts throughout their Circuits of the Execution of this Act, and at their Return to *Dublin* shall acquaint the Lord Lieutenant, or Lords Justices in Council, with all Informations they shall have received of any Breach of the Act, or Faults in the Officers ; of which the said Chief-Governors shall once every Year lay an Account in Writing before the King in Council.

No. 6, Stat. 3, G. I. Cap. 21, Sect. 4. The Moiety of all Penalties by 10 and 11 *W. III.* Cap. 10, inflicted for preventing the Exportation of Wool, and Woollen Goods, out of *Ireland*, other than into *England*

gland or *Wales*) (after a Deduction made out of the said Moiety of the Charges of Prosecution) shall be to the Use of his Majesty.

Sect. 5. All Actions and Informations which shall be prosecuted by Virtue of any Act for preventing the Exportation of Wool, or woollen Manufactures from *Ireland*, shall be tried in any of the four Courts at *Dublin*, by a Jury of Freeholders to be summoned out of any other County than that wherein the Fact was committed; and the first three who have been assisting in exporting Wool, or woollen Commodities, who shall inform any Justice of Peace thereof, whereby the Punishment may be inflicted (such Discoverer not being the Owner or Part-Owner thereof) shall not suffer any of the Punishment.

No. 7. Stat. 4, Geo. I. Cap. II. Sect. 6. If any Person shall be in Prison, for want of Bail, for unlawful Exportation of Wool, or Wool-Fells, and shall refuse to appear or plead to a Declaration or Information delivered to such Person, or to the Goaler or Turnkey, by the Space of one Term, Judgment shall be entered against him by Default; and in Case Judgment be obtained against any such Person, and he shall not pay the Sum recovered
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within three Months after entering up of such Judgment, the Court shall by Order cause such Offender to be transported in the same Manner as Felons, for seven Years; and if such Offender shall return into *Great-Britain* or *Ireland* before the Expiration of the seven Years, he shall suffer as a Felon, without Benefit of Clergy.

No. 8. 5 *Geo. I. Cap. II. Sect. 14.* The like Provision made for preventing the Exportation of Wool in 1 *William & Mary, Stat. I. Cap. 32,* is directed to extend to Woolfels, Mortlings, Shortlings, Yarn of Wool, Woolflocks, Fuller's-earth, Fulling-clay, and Tobacco-pipe Clay, carried Coastwise.

Sect. 21. All such Wool, and other the Commodities mentioned in 10 and 11 *William III. Cap. 10,* which shall be carried or laid on Shore near the Sea, or any navigable River, to the Intent to be exported out of *Ireland,* contrary to that Act, shall be forfeited, and the Offender shall be liable to the same Penalties as Persons by that Act are subject to for exporting of Wool, &c.

No. 9. Stat. 6. *Geo. I. Cap. 21. Sect. 62.* Where any Ship, of the Burthen of fifty Tons, or under, laden with customable
or

or prohibited Goods, shall be found at Anchor, or hovering on the Coasts of *Ireland*, within two Leagues of the Shore, and not proceeding on her Voyage, Wind and Weather permitting; any Officer of the Customs of that Kingdom may go on Board such Ship, and take Account of the Lading, and take Security from the Master by his own Bond to the King, in treble the Value of Goods, with Condition that (as soon as the Wind and Weather, and the State of such Ship doth permit) he shall proceed regularly on her Voyage, and land such Goods (except Wool licenced) at some foreign Port; and if such Master refuse to enter into such Bond, or shall not depart on such Voyage (unless suffered to make a longer Stay by the Collector or other principal Officer in his Absence, not exceeding twenty Days) all the Goods on Board shall by any Officers of the Customs, by Direction of the Collector, &c. be taken out of the said Ship, and brought on Shore, and secured; and if the Goods are customable, the Duties shall be paid for the same; and as concerning Wool, or any prohibited Goods, or other Goods liable to Forfeiture, the same are declared subject to Forfeiture, and

and the Officers of the Customs may prosecute the same, and also the Vessel, if she be liable to Condemnation.

Sect. 63. After such Goods are secured, such Bonds shall be void, and delivered up without Fee ; and such Bond, not being otherwise discharged, shall, on proper Certificate, be returned under the common Seal of the chief Magistrate, in any Place beyond the Seas, or under the Hands and Seals of two known *British* or *Irish* Merchants upon the Place, that such Goods were there landed ; or upon Proof by credible Persons, that the same were taken by Enemies, or perished in the Sea, (the Examination and Proof thereof being left to the Judgment of the Commissioners of the Customs in *Ireland*) shall be vacated.

Sect. 64. The Sub-Commissioners, or Commissioners of Excise in *Ireland*, may hear and determine all Offences against any Clause in this, or any other Act in Force in *Ireland*, for preventing the unlawful Exportation of Wool, Wool-fells, Shortlings, Mortlings, Wool-flocks, Worsted, Bay, or Woollen Yarn, Cloth, Serge, Bays, Kerseys, Sayes,

Sayes, Frizes, Druggets, Cloth-Serges, Sha-loons, or any other Drapery Stuffs, or Woollen Manufactures made in *Ireland*; which Commissioners, &c. may proceed in a summary Way, and give Judgment, and levy the Penalties, &c. in like Manner as they are enabled to proceed in Cases of Excise in *Ireland*, by any Acts now in Force.

Sect. 65. No Person shall be admitted to claim Property upon any Seizure made upon any Clause in any Act for preventing the unlawful Exportation of Wool from *Ireland*, till he has given Security to the Commissioners, &c. of the District, to answer the Penalties if such Seizure shall be adjudged good.

No 10. Stat. 5. *Geo.* 2. cap. 21. sect. 1. The Commissioners for executing the Office of Lord High Admiral of *Great Britain* shall appoint three Ships of the sixth Rate, and eight or more armed Sloops, constantly to cruize on the Coasts of *Great Britain* and *Ireland*, with orders for seizing all Vessels in which any Worsted, Bay, or Woollen Yarn, or any Draper's stuffs, or Woollen manufactures, made up or mixed with Wool or Wool-flocks, shall be exported or laden from *Ireland* into foreign Parts; and the said Commissioners

missioners shall send a List of such Ships and Sloops, and the names of the Commanders, together with Copies of the Instructions to them given, within ten Days after the Date of the said Orders, to his Majesty's Commissioners of the Customs in *Great Britain*, and to the Commissioners of his Majesty's Revenue in *Ireland*.

Sect. 2. It shall be lawful for the Commander of every such Ship and Sloop, within the limits of the Station assigned in such Ship or Sloop, to enter and search any Vessel; and if any of the said prohibited Commodities be found therein, and the Master of such Vessel shall not immediately produce a Cocket, or Warrant, licencing the exportation thereof, to seize such Vessel, and to carry the same, with the crew and cargo, into any Port in *Great Britain* or *Ireland*.

Sect. 3. Every such Vessel, and all the said prohibited Commodities found therein, shall be forfeited, and the said prohibited Commodities shall be lodged in the King's Warehouse, in such Port into which such Vessel shall be carried, untill it be condemned, and being condemned shall be exposed to Sale, after twenty one Days notice in Writing af-
fixed

fixed upon the Custom-house of the Port, by Inch of Candle, to the best Bidder; and every such Vessel shall after Condemnation be exposed to Sale in like Manner; and one fourth Part of the Produce of such Sale shall be to the Commander of the Ship that shall make such Seizure, one fourth to the other Officers of such Ship, one fourth to the Mariners, and the other fourth to his Majesty; after a Deduction made out of the last fourth Part for the Charges of Prosecution; provided that if such Seizure be made upon the Information of any Person, such Informer shall not only be indemnified from the Forfeitures, but shall also receive one fifth Part of the Produce of such Sales, and the Residue thereof shall be divided into four Parts, as before directed.

Sect. 4. If any Action shall be commenced against any Person for what he shall do in pursuance of this Act, such Person may plead the general Issue; and if the Plaintiff shall become non-suit, &c. the Defendant shall receive treble Costs.

Sect. 5. No Person shall be admitted to claim Property in any Seizure, till he shall have given Security by Recognizance before one of the Commissioners of the Revenue in *Ireland*,

or one of Barons of the Exchequer in *England*, to answer the Penalties.

Sect. 7. This Act shall not make void any other Penalties inflicted by any former Law upon the Exportation of Wool and Woollen Manufactures.

No 11. Stat. 12, *Geo.* 2. cap. 21. Sect. 1. Whereas in the Book of Rates annexed to 12 *Car* 2. cap. 4. a Rate of 3*l.* 6*s.* 8*d.* for every hundred Weight was fixed upon Woollen or Bay Yarn imported; according to which Rate a Subsidy of 12*d.* in the Pound, called the old Subsidy, was payable, and a farther Subsidy of 12*d.* in the Pound was granted to King *George* II. for Life, by 1 *George* II. Stat. 1. cap. 1. and by 2. *Ann*, cap. 9. another Subsidy was granted called the one third Subsidy; and by 3 and 4 *Ann*, cap. 5. another Subsidy was granted called the two thirds Subsidy; and whereas the taking off the Duties of Woollen and Bay Yarn imported from *Ireland* may prevent the exporting Wool and Woollen Manufactures from *Ireland* to foreign Parts, and may be of use to the Manufactures of *Great Britain*; be it enacted, that the said several Subsidies payable upon Wool-
len

len or Bay Yarn imported from *Ireland* shall cease.

Sect. 2. And that neither the King nor any other Person intitled to any share in the Monies arising by the said Duties may suffer by the ceasing thereof, the Commissioners of the Treasury shall cause an Account to be made up of the said Duties on Bay-Yarn and Woollen-Yarn for seven Years last past.

Sect. 3. And the Medium of the said Duties shall be a certain annual Sum to be charged on the Aggregate Fund, and shall be applied to make good to his Majesty, and to the several public Creditors, having Interest or Security in the said Duties, the like Proportions out of the said annual Sum.

Sect. 4. Nothing in this Act shall extend to take off the Duties upon Worsted-Yarn, being of two or more Threads twisted or thrown, or Crewel imported into *Great Britain* from *Ireland*.

Sect. 5. All Wool and Woollen or Bay Yarn, Woolfells, Shortlings, Mortlings, Woolflocks, Worsted, Yarn, Cloth, Serge, Bays, Kerseys, Sayes, Frizes, Druggets, Cloth-serges, Shalloons, Stuffs, and other Draperies and Woollen Manufactures, or mixed with

Wool or Wool-flocks, exported from *Ireland* into this Kingdom, shall be shipped off at the Ports of *Dublin, Waterford, Youghall, Kinsale, Cork, Drogheda, New Ross, Newry, Wexford, Wicklow, Sligo, Limerick, Galway* and *Dundalk*, and from no other Port; nor shall be imported into any Parts of *Great Britain*, other than *Biddeford, Barnstaple, Minehead, Bridgewater, Bristol, Milford Haven, Chester*, and *Liverpool*.

Sect. 6. No Wool or any of the Goods before mentioned shall be laid on Board any Ship in *Ireland*, or imported from thence into this Kingdom, but in Ships of the built of *Great Britain* or *Ireland*, and wholly owned and manned by the Subjects of this Kingdom or *Ireland*, and duly registered as herein after mentioned; under the Penalty of the Forfeiture of the said Goods, or the Value, as also of the Ship.

Sect. 7. No Ship shall be deemed a Ship of the built of *Great Britain* or *Ireland*, so as to be qualified to take on Board any Wool, Woollen, or Bay Yarn, or other the Species before-mentioned, to import the same into *Great-Britain*, until the Persons claiming Property in such Ship, register the same as follow-

followeth ; that is to say, Proof shall be made upon the Oath or Affirmation (if by a Quaker) of one or more of the Owners, before the Collector and Comptroller of the Customs, in such Port of *Great Britain* or *Ireland* to which such Ship belongs, in the Tenor following, viz.

I *A. B.* do make Oath (or being a Quaker do solemnly affirm) that the Ship
 of _____, whereof _____ is at present
 Master, being _____ built, of _____ Tons,
 was built at _____, in the Year
 _____, and that _____ of _____ and
 and of _____, are at present Owners there-
 of; and that no Foreigner, directly or indi-
 rectly, hath any Share, Part, or Interest therein.

A Certificate of which Oath or Affirmation, attested by the Collector and Comptroller of the Customs, under their Hands and Seals, shall, after having been registred by them, be delivered to the Master of the Ship, a Duplicate of which Register shall be immediately transmitted to the Commissioners of the Customs at *London*, to be entered in the general Register, to be there kept.

Sect. 8. No Ship's Name registred shall be afterwards changed, without registering such
 G g g 3 Ship

Ship again (which is likewise to be done upon any transfer of Property to another Port) and delivering up the former Certificate to be cancelled, under the same Penalties, and in the like Method as before directed ; and in Case of any Alteration of Property in the same Port, by the Sale of one or more Shares in any Ship, after registering thereof, such Sale shall be acknowledged by Indorsement on the Certificate of the Register, before two Witnesses, in order to prove that the entire Property remains to some of the Subjects of *Great Britain or Ireland*.

Sect. 9. No Coverlids, Waddings, or other pretended Manufactures made of Wool slightly put together, so as the same may be reduced to Wool again, or Mattraffes, or Beds stuffed with Wool, combed or fit for combing, shall be exported from *Great-Britain or Ireland*, to Parts beyond the Sea, under the like Penalties which are inflicted on Exporters of Wool.

Sect. 10. No Wool, Woolfells, Mortlings, Shortlings, Wool-flocks, Worsted, Bay, or Woolen Yarn, shall be packed up in *Great-Britain or Ireland* in any Package but in Packs and Trusses of Leather, or Canvas, called

called Pack-cloth ; and all such Packs shall be marked on the Outside with the Words *Wool*, or *Yarn*, in Letters not less than three Inches in Length, on Pain of forfeiting all such Goods, with the Package, and 3 s. for every Pound Weight thereof, to be paid by the Owner or Packer.

Sect. 11. No Wool, Woolfells, Mortlings, Shortlings, combed Wool, Woollen, or Bay Yarn, Worsted yarn, Crewel, or Wool slightly manufactured, shall be put on Board any Ship bound to Parts beyond the Seas, laden in Order to be carried Coastwise, unless Notice be first given to the Commissioners of the Customs, or to the Customer, or Collector, or Comptroller of the Port from which the same is intended to be sent, of the Quantity, Quality and Package, together with the Marks and Numbers thereof, with the Name of the Ship and Master, as likewise the Names of the Owners of the said Goods, and the Place of their Abode, and the Port into which the same are intended to be imported, and to whom consigned ; and unless Bond be first entered into, to the Uses of his Majesty, with one or more sufficient Securities, in treble the Value of the Goods so intended to be

carried Coast-wise, that the same shall be landed accordingly ; due Notice whereof shall be forthwith transmitted by the Customer, or Collector, and Comptroller of the Port whence the same are exported, to the Customer, or Solicitor and Comptroller of the Port into which the same is intended to be imported, and Entry made ; and unless a Licence be also first taken under the Hands of the Commissioners of the Customs, or from the Customer, or Collector and Comptroller where such Bond is given, for the landing and carrying thereof, which Licence they are to grant without any Fee, or other Charge ; and all such Bonds for the carrying such Goods Coast-wise in *Great-Britain* or *Ireland*, shall not be discharged, but by producing a Certificate under the Hand and Seal of the Customer, or Collector and Comptroller of the Port in *Great-Britain* or *Ireland*, where such Goods were landed, setting forth the Quantity, Quality, and Package, together with the Marks and Numbers, with the Name of the Ship and Master out of which such Goods were landed ; and all such Bonds as remain undischarged after six Months, shall be transmitted to the Commissioners of the Customs in *Great-Britain*, or of the Revenue in *Ireland*,

land who are to put them in Suit immediately. And if any Wool, &c. be laden on Board any Ship, in Order to be carried Coast-wise, before all the Directions of this, and every other Act made to prevent the Transportation of any of the Goods aforesaid, be duly complied with, so far as the same relate to the Exporter or Proprietor; or if any of the said Goods be laden on Board any Ship bound to Parts beyond the Seas; then all such Goods, or their Value, shall be forfeited, together with the Ship.

Sect. 12. Nothing herein shall extend to alter any other Security required by Law for Goods carried coastwise, or to repeal any Law in *Great-Britain* or *Ireland* made to prevent the Exportation of Wool, or any the Goods aforesaid,

Sect. 13. None of the said Goods imported from *Ireland*, or coastwise within this Kingdom, or *Ireland*, shall be landed or shipped but in the Presence of the proper Officers, nor at any other Place than the lawful Quays set out in the Manner prescribed by 13 and 14 Car. II. Cap. 11. for *England* Customs, and by the 6 Anne, Cap. 26, for *Scotland* Customs, without Leave from the Commissioners and Officers of the Customs, or at such
Quays

Quays in *Ireland* as shall be appointed, on Pain of forfeiting the said Goods, or the Value thereof, and 3 s. for every Pound Weight of such Goods, to be paid by the Owner, or any Person concerned in such unlawful Shipping or Landing.

Sect. 14. And to prevent any fraudulent Practices, whereby may be evaded any of the Penalties inflicted to prevent the transporting out of this Kingdom of any Wool, Woolfells, Wool-flocks, Mortlings, Shortlings, Worsted, Bay, or Woollen-Yarn, Fullers-Earth, Fulling-clay, Tobacco-pipe Clay, or any other scouring Clay or Earth, or to prevent the illegal transporting out of *Ireland*, of any of the said Goods, or of Cloth, Serge, Bayes, Kerseys, Sayes, Frizes, Druggets, Cloth Serges, Shaloons, or any other Drapery Stuffs or Woollen Manufactures, made up or mixed with Wool or Wool-flocks; it shall not be lawful for any Person, other than the Officers of the Customs, or Excise, or Salt Duties, to enter any Information of Seizure of any Wool, Woolfells, or other Goods before enumerated, as aforesaid; nor shall it be lawful for any Person to enter any Information for the Recovery of any Penalty aforesaid, unless
such

such Information be filed in the Name of his Majesty's Attorney-General, or of some Officer of the Customs, Excise, or Salt-Duties in *Great-Britain* or *Ireland* ; and if any Information of Seizure of any of the Goods before mentioned, be made by any Person other than in the Name of the Attorney-General, or of some Officer of his Majesty's Revenue, as aforesaid, the same, and all the Proceedings thereupon, are hereby declared to be void.

Sect. 15. Nothing in this Act shall take away the Power given to the Commanders and Officers of his Majesty's Ships of War, or the armed Sloops appointed by the Admiralty to guard against the Transportation of Wool, pursuant to 10 and 11 *Will. III. Cap. 10.* [Par. LXXXIV.] and 5 *George II. Cap. 21.* [Par. CXXI.] or by any other Act.

Sect. 16. If any Officer of the Revenue make any collusive Seizure, or Information of any of the said Goods, or any fraudulent Agreement, whereby the owner may avoid the Penalties incurred by this or any other Act, he shall, for such Offence, forfeit 200*l.* and be rendered incapable of serving in any Office in the Revenue ; and Exporters, Importers, and Owners of the Goods so collusively seized, shall

shall forfeit treble the Value thereof; and all such Penalties shall be to the Use of him who shall inform and sue for the same in any Court of Record at *Westminster*, or in the Court of Exchequer in *Scotland*, or in any Court of Record at *Dublin*.

Sect. 17. Any Person concerned in such fraudulent Seizure or Agreement, who first discovers his Offence to the Commissioners of the Customs in *England* or *Scotland*, or of the Revenue in *Ireland*, shall be discharged thereof, provided he makes such Discovery within three Months after the Offence committed, and so as any of his Accomplices be convicted; and if such Discoverer be not an Officer of the Revenue, or Owner of the Goods, he shall receive to his own Use the whole Money recovered on the Conviction of such Offender, the Charges of Prosecution first deducted.

Sect. 18. All Suits and Informations upon this or any other Acts for preventing the Exportation of Wool, Wool-fells, Wool-flocks, Mortlings, Shortlings, Worsted, Bays, or Woollen Yarn, Crewels, or Wool slightly manufactured, or Mattraffes, or Beds stuffed with Wool, combed or fit for combing, Fuller's-

ler's-earth, Fulling-clay, Tobacco-pipe Clay, or any other scouring Earth or Clay from *Great Britain* or *Ireland*; or for preventing the Exportation from *Ireland* into foreign Parts, of Cloth, Serges, Bays, Kerseys, Frizes, Druggets, Shaloons, Stuffs, Cloth-serges, or any other Drapery made of, or mixed with Wool manufactured in *Ireland*, may be entered and prosecuted, (except where it is in this Act otherwise directed) in any Court of Record at *Westminster*, or in the Court of Exchequer in *Scotland*, or at the Quarter Sessions of the Peace, or before any two Justices of Peace, in a summary Way, at the Election of the Seizer or Informer, or by any Law relating to the Revenue of *Ireland* in that Kingdom; and if the Property thereof be claimed by any Person, the *onus probandi* shall lie upon the Claimer.

Sect. 19. All the Penalties before-mentioned, except where otherwise directed, shall be to the Use of such Person as shall seize, inform, or sue for the same.

Sect. 20. On the Condemnation of any Wool, or other Goods before enumerated, the said Commissioners shall cause such Goods to be sold to the best Bidder, at such Places as they

they think proper ; and out of the Produce shall cause to be paid all Charges of Condemnation and Sale, and the Remainder to such Person who shall seize, inform, or sue.

Sect. 21. In case any Officer of the Customs, Excise, or Salt Duty, receive any Information from any other Person, whereby any Seizure is made, or any Prosecution carried on to effect ; such Person shall have one Half of what is recovered by such Officer, as a Reward for his Information.

Sect. 22. If any Offender becomes liable to the Penalty of 3 *s.* per Pound Weight, and be not of sufficient Ability to pay the same, by which Means the Informer will lose the Benefit of his Information, then it shall be lawful for the respective Commissioners to cause 1 *s.* per Pound Weight for all such Goods for which such Offender is convicted, to be paid by the Receiver-General of the Revenue, under their Management, out of any publick Money in his Hands ; and the Money so paid by any Receiver-General shall be allowed in his Accounts.

Sect. 23. If the Master of any Ship employed in the clandestine exporting from *Great Britain or Ireland*, any Wool, or other Goods

Goods before enumerated, or in the clandestine importing from *Ireland* any Woollen Manufacture made in *Ireland*; or if the Mate or any of the Mariners give an Account in six Months after such shipping or exporting the Goods before mentioned, to the Commissioners of the Customs in *England* or *Scotland*, or of the Revenues in *Ireland*, of the Name of the Ship, and the Species and Quantities of such Goods, together with the Names of the Owners, Exporters, or Persons who act in their Aid, so as they may be convicted; such Master, Mate, or Mariner shall not only be indemnified, but shall be discharged from any Penalties he is by Law subject to for his Offence, and shall also have three-fourth Parts of the Penalties, clear of Charges, that shall be recovered by means of his Discovery, which the respective Commissioners are to cause to be distributed in such a Manner as they think proper, and the other fourth Part to his Majesty, after deducting the Charges of Prosecution.

Sect. 24. Every Person, who, by Deputation, commission, or other Instrument, under the Hands and Seals of the Commissioners of the Customs, Excise, or Salt in *Great Britain*

or

or *Ireland*, are appointed to act under them, for putting this, or any of the Acts relating to those Revenues, or made against Transportation of Wool, in Execution, shall be esteemed an Officer of the Customs, Excise, or Salt, to all Intents.

Sect. 25. If any Person offer to give any Bribe to any Officer of the Customs, Excise, or Salt, in *Great Britain* or *Ireland*, to connive at the Transportation or Concealment of any Wool, Wool-flocks, Wool-fells, Mortlings, Shortlings, Yarn made of Wool, Crewels, or Wool slightly manufactured, or Mattraffes, or Beds stuffed with combed Wool, or Wool fit for combing, Fuller's-earth, Fullers-clay, and Tobacco-pipe-clay, or any other scouring earth or clay; or to the removing thereof, contrary to this or any other Act; or to do any other Act, whereby the Provisions made by this or any other Law may be evaded; every such Person shall, for every such Offence, forfeit three hundred Pounds to be recovered and applied to the use of him who shall inform or sue for the same in any Court of Record at *Westminster*, or in the Court of Exchequer in *Scotland*, or in any Court of Record at *Dublin*.

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Sect. 26. If any Officer of the Customs, Excise, or Salt, or other Person acting in Aid of such Officer, in putting this Act in Execution, be opposed, wounded or beaten, in seizing any Wool, or other Goods before enumerated, the Person that so opposes, wounds or beats any such Officer, or any other Person, being armed with offensive arms, or wearing any Mask or Disguise, who attempts to rescue any Wool, or other the Goods aforesaid, seized by any such Officer, being convicted, shall, by Order of the Court, before whom convicted, be transported to the Plantations in *America*, for any Term not exceeding seven Years, in the same Manner as by 4. *Geo.* I. cap. 11. and 6. *Geo.* I. cap. 23, and if such Offender return into *Great Britain* or *Ireland*, before the Expiration of the Time for which such Person is transported, he shall suffer as a Felon without benefit of Clergy.

Sect. 27. The 4 *Geo.* 2. cap. 11. sect. 6. (Par XCII.) so far as the same concerns the Exporters of Wool, or Wool-fells, shall extend to all Aiders or Abbettors to such Exporters.

Sect. 28. All Bonds taken pursuant to this Act, shall not be chargeable with the Duties upon Stamp-paper.

Sect. 29. Whereas the Exportation of Wool, Wool-fells, Wool-flocks, Mortlings, Shortlings, Crewels, Worsted, Woollen and Bay Yarn, Mattraffes, and Beds stuffed with combed Wool, or Wool fit for combing, from *Great Britain* or *Ireland*, and of Woollen Manufacture from *Ireland*, hath been promoted by Persons undertaking as Insurers that such Goods shall be delivered in Parts beyond the Seas; be it enacted, that all Persons, who by Insurance or otherwise, undertake that any of the Goods before mentioned, shall be conveyed to any Parts beyond the Seas, from any Port within this Kingdom or *Ireland*, or in Pursuance of such Insurance or Agreement, deliver or cause to be delivered, any of the said Goods in any Parts beyond the Seas, such Persons, and all their Assistants, shall for every Offence forfeit five hundred Pounds to the Use of the Informer, over and above all other Penalties,

Sect. 30. And all Persons who pay, or agree to pay, any Money for the insuring, or exporting out of this Kingdom or *Ireland*, any of the Goods aforesaid, shall for every such Offence, forfeit five hundred Pounds for the Use of the Informer.

Sect. 31,

Sec. 31. In Case the Insurer, Conveyer, or Manager of such Fraud, or the Person agreeing to insure, convey, or manage therein, within six Months after, first give Notice thereof to the Commissioners of the Customs in *England* or *Scotland*, or of the Revenue in *Ireland*, so as the Persons concerned with him be convicted, he shall not only be discharged of such Offence, and from the Penalties to which he is liable, but shall also have the whole Forfeiture imposed on the Parties taking such Insurance, after the Charges of Prosecution are deducted, and shall retain to his own Use the Insurance Money given him; and in case the Party insured, within six Months, first make Discovery thereof to the said Commissioners respectively, so as the Persons concerned with him in such Offence be convicted, he shall receive back such Premium as he hath paid upon such Insurance; and in Case the Premium be not actually paid, then the Person so discovering is indemnified from paying the same, and every Agreement entered into for paying such Monies, is hereby declared to be void; and such Person so first discovering shall also have to his own Use the whole Forfeiture imposed upon such Insurer, Conveyer,

or Manager, after Charges of Prosecution are deducted, and shall also be discharged of the Forfeiture hereby imposed upon him.

Sect. 32. All the said Penalties and Forfeitures incurred by Persons concerned in illegal Insurances, shall be sued for in any Court of Record at *Westminster*, or in the Court of Exchequer in *Scotland* or *Ireland*, by Action of Debt, &c. in the Name of his Majesty's Attorney-General, or in the Name of any Officer of the Customs, Excise, or Salt-Duties.

Sect. 33. And whereas it is generally unknown to the Insurers what Sorts of Goods are loaded on Board any Ship, be it enacted, that all Policies of Insurance made on Goods on any Ship bound from *Great Britain* or *Ireland*, to foreign Parts, which afterwards appear to be Wool, or Woollen Yarn, or any other Species of Wool before-mentioned, or Woollen Manufactures from *Ireland*; and all Policies of Insurance on any Ships bound from *Great Britain* or *Ireland* to foreign Parts, which have on Board any Wool, or Woollen Yarn, or any other Species of Wool before-mentioned, or Woollen Manufactures from *Ireland*, shall be void, notwithstanding any Words inserted in such Policy; and Nothing shall

shall be recovered by the assured in either Case from the Insurer, for Loss or for the Premium.

SECT. 34. If any Suit be commenced for any thing done in Pursuance of this Act, the Defendant may plead the general Issue ; and if the Plaintiff be non-suited, &c. the Defendant shall recover treble Costs.

Restrictions upon HOPS.

No. 12, Stat. 9 *Anne*, Cap. 12, Sect. 27. None of the Duties upon Hops (except of Growth) shall be drawn back upon Exportation for *Ireland* ; and no Person shall import into *Ireland* from *Flanders*, or any other Parts, (other than *Great Britain*) any Hops, upon Pain of forfeiting the Hops so imported, or the Value of the same, and also the Ship, two-third Parts thereof to the Poor of the Parish in *Ireland* where such Hops shall be seized or discovered, and the other third Part to such Person as will seize or sue for the same in any of her Majesty's Courts of Record at *Dublin* ; and the Importation of foreign Hops into *Ireland* (other than from *Great-Britain*) shall be adjudged a common Nuisance.

No. 13, Stat. I. *George I.* Cap. 12, Sect. 6. The Master of every Ship carrying Hops to *Ireland*, shall take from the Collector or Comptroller of the Port in *Great-Britain* where he shall lade any Hops, a Duplicate of his Content of all the Hops laden on Board his Ship, before he be permitted to sail, under the Hand and Seal of such Collector, &c. who shall deliver it without Fee; which Duplicate the said Master shall deliver on Oath to the Officer of the Customs in *Ireland*, before he be permitted to land any Hops; and in case any Hops shall be landed in *Ireland* before such Duplicate be produced, all such Hops, and 10s. for every Pound Weight shall be forfeited, one Moiety to the King, the other to the Prosecutor, to be recovered by Action, &c. in any of his Majesty's Courts in *Dublin*.

No. 14, Stat. 5, *Geo. II.* Cap. 9. The Act 9 *Anne*, Cap. 12, and 1 *Geo. I.* Stat. II. Cap. 12, which prohibit the Importation of Hops into *Ireland* from *Flanders*, or other Parts (other than from *Great-Britain*) shall be in Force as if the Act 4 *Geo. II.* Cap. 15, had never been made.

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*Restrictions relative to Articles of Trade from
the East and West-Indies.*

No. 15, Stat. 7, Geo. I. Cap. 21, Sect. 9.
No Commodity of the Product or Manufacture of the *East-Indies* shall be imported into *Ireland*, the Islands of *Jersey*, *Guernsey*, *Alderney*, *Sark* or *Man*, or to any of the Plantations in *Africa* or *America*, belonging to the Crown of *Great-Britain*, but such only as be shipped in *Great-Britain*, in Ships navigated according to Law, on Penalty of forfeiting all such Goods, or the Value thereof, together with the Ship, &c. and such Ship and Goods may be seized and prosecuted in any Courts of Record in *Westminster* or *Dublin*, or in any Courts in such Islands, &c. where the Offence shall be committed, or in the royal Courts of *Jersey* or *Guernsey*, by Bill, Complaint, &c. one Moiety of the Forfeiture to his Majesty, the other to the Prosecutor, except such Offence be committed in any of the Plantations in *Africa* or *America*, in which case one-third of the Forfeiture shall be to the King, one other third to the Governor of the Place, and the other third to the Informer ; and if any Officer of the Customs in *Ireland*, or in the said Islands, &c. shall

connive at the fraudulent Importation of such Commodities, or if any such Offender shall seize any of the said Commodities, and by Fraud or Collusion desist or delay the Prosecution to Condemnation, he shall forfeit 500*l.* to be recovered in Manner aforesaid ; one Moiety to his Majesty, the other to the Prosecutor ; and such Officer shall be incapable of holding any Employment under his Majesty.

No. 16, Stat. 12, *Car.* II. Cap. 18, Sect. 18. No Sugars, Tobacco, Cotton-Wool, Indicoes, Ginger, Fustick, or other dying Wood, of the Production of any *English* Plantations in *America*, *Asia* or *Africa*, shall be carried from any the said *English* Plantations to any Place whatsoever, other than to such *English* Plantations as belong to his Majesty, or to *England*, *Ireland*, *Wales*, or *Berwick*, there to be laid on Shore, under the Penalty of Forfeiture of the Goods, or the Value thereof, as also of the Ship with her Tackle, the one Moiety to the King, and the other Moiety to him that shall seize or sue for the same in any Court of Record.

Sect. 19. For every Ship which shall set out from *England*, *Ireland*, *Wales*, or *Berwick*,

Berwick, for any *English* Plantation in *America*, *Asia*, or *Africa*, Bond shall be given with one Surety to the chief Officers of the Custom House of such Port from whence the Ship shall set Sail, to the Value of 1000*l.* if the Ship be of less Burthen than one hundred Tons, and of 2000*l.* if the Ship be of greater Burthen, that in case the Ship shall load any of the said Commodities at the *English* Plantations, the same shall be, by the said Ship, brought to some Port of *England*, *Ireland*, *Wales*, or *Berwick*, and shall unload the same (Danger of the Seas excepted) and for all Ships coming from any other Place to any of the Plantations, the Governor of such Plantation shall, before the Ship be permitted to load any of the said Commodities, take Bond to the Value aforesaid, that such Ship shall carry all the aforesaid Goods to some other of his Majesty's *English* Plantations, or to *England*, *Ireland*, *Wales* or *Berwick*; and every Ship that shall take on Board any of the aforesaid Goods, until such Bond given to the Governor, or Certificate produced from the Officers of any Custom-House of *England*, *Ireland*, *Wales*, or *Berwick*, that such Bonds have been there given, shall be forfeited, with
all

all her Tackle, to be employed and recovered as aforesaid: And the said Governor shall twice every Year return Copies of all such Bonds to the chief Officers of the Customs in *London*, confirmed by the 13th *Car. II.* chap. 14.

No. 17. Stat. 15, *Car. II.* cap. 7, Sect. 6. No Commodity of the Production of *Europe* shall be imported into any Plantation or Place which shall belong to his Majesty in *Asia, Africa, or America*, but what shall be shipped in *England, Wales, or Berwick*, and in *English* built shipping, and whereof the Master, and three-fourths of the Mariners are *English*, and which shall be carried directly thence to the said Plantations; under the Penalty of the Loss of all such Commodities imported from any other Place, and if by Water, of the Ship also with her Tackle; one third to his Majesty, one third to the Governor of such Plantation, if the Ship be there seized or informed against; or otherwise, that third also to his Majesty, and the other third Part to him who shall seize or sue for the same, in any of his Majesty's Courts, in such Plantations where the Offence was

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Trade from the East and West Indies. 833
committed, or in any Court of Record in *England*.

Sect. 7. Provided that it shall be lawful to lade in Ships, navigated as in the foregoing Clause, in any Part of *Europe*, Salt for the Fisheries of *New-England* and *Newfoundland*, and to ship in the *Madeiras* Wines of the Growth thereof; and to ship in the Western Islands, or *Azores*, Wines of the Growth of the said Islands; and to take in Servants or Horses in *Ireland*; and to ship in *Ireland* Victual of the Production of *Ireland*, and the same to transport into any of the said Plantations.

No. 18, Stat. 22 and 23, *Car. II.* cap. 26, Sect. 11. The Word *Ireland* shall be left out of all Bonds taken for any Ship which shall set sail for *England*, *Ireland*, *Wales*, or *Berwick*, for any *English* Plantation in *America*, *Asia*, or *Africa*; and in case the Ship shall load any of the said Commodities at the said *English* Plantations, the said Commodities shall be by the said Ship brought to some Port of *England*, *Wales*, or *Berwick*, and shall there unload the same (Danger of the Seas excepted) and in like Manner for all Ships coming from
any

any other Port to the said Plantations, the Governor of such Plantations shall, before the Ship be permitted to load any of the said Commodities, take Bond in Manner directed in the Act 12 *Car. II.* Cap. 18, for the encouraging of Navigation, that such Ship shall carry all the said Goods to some other of his Majesty's *English* Plantations, or to *England, Wales, or Berwick*; and every such Ship which shall load any of the said Commodities until such Bond be given, or Certificate produced, from the Officers of some Custom-house of *England, Wales, or Berwick*, that such Bond hath been there given, or which, contrary to the Tenor of such Bond, shall carry the said Goods to any other Place than to other *English* Plantations, or to *England, Wales, or Berwick*, and there lay the same on Shore, every such Ship shall be forfeited, with her Tackle and Lading, one Moiety to the King, and the other Moiety to him that shall seize or sue for the same in any of the Plantations, in the Court of High-Admiral of *England*, or of any of his Vice-Admirals, or in any Court of Record in *England*.

Seet. 12. The Governors of his Majesty's Plantations shall once a Year make a Return
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to his Majesty's Officers of his Customs in the Port of *London*, or to such other Persons as his Majesty shall appoint, a List of all such Ships as shall lade any of the said Commodities in such Plantations, as also a List of the Bonds taken by them ; and in case any Ship belonging to his Majesty's Plantations, which shall have on Board any Sugars, Tobacco, Cotton-Wool, Indicos, Ginger, Fustick, or other dying Wood, shall be found to have unladed in any Place of *Europe* other than *England, Wales, or Berwick*, such Ship shall be forfeited, with her Tackle and Lading, as aforesaid.

Sect. 13. It shall be lawful for any Person to prosecute such Ship in any Court of Admiralty in *England*, the one Moiety of the Forfeiture to be to his Majesty, and the other Moiety to such Prosecutor.

Continued with the Statute of Tonnage and Poundage, 12 *Car.* II. Cap. 4, (which is perpetual) by 5 *George* I. cap. 11.

No. 19, Stat. 7 and 8, *W.* III. cap. 22, Sect. 2. No Goods shall be imported into, or exported out of any Plantation to his Majesty in *Asia, Africa, or America*, belonging, or shall be carried from any one Port in the Plantations,

Plantations, to any other Port in the same, the Kingdom of *England*, *Wales*, or *Berwick*, in any Ship but what shall be of the built of *England*, or of *Ireland*, or the Plantations, and wholly owned by the People thereof, and navigated with the Master, and three-fourths of the Mariners of the said Places (except Ships taken Prize, and Condemnation thereof made in the Courts of Admiralty in *England*, *Ireland*, or the Plantations, to be navigated by the Master and three-fourths of the Mariners *English*, or of the Plantations, and whereof the Property doth belong to *Englishmen*) under Pain of Forfeiture of Ship and Goods, one third to his Majesty, one third to the Governor of the Plantations, and the other third to the Person who shall sue for the same in any of his Majesty's Courts at *Westminster*, or in any Court of his Majesty's Plantations where such Offence shall be committed.

Sect. 3. Merchandizes may be exported or imported to and from this Kingdom, and Places aforesaid, in any Ship taken as Prize, and whereof Condemnation shall be made in one of the Courts of Admiralty aforesaid, and shall be navigated by the Master and three-fourths

fourths of the Mariners *English*, and whereof the Property shall belong to *Englishmen*.

Sect. 4. All Governors of the Plantations, before their Entrance into their Government, shall take an Oath to do their Utmost that all the Clauses contained in the Acts of Parliament in Force relating to the Plantations, and in this Act, be observed, which Oath shall be taken before such Persons as shall be appointed by his Majesty ; and upon Complaint and Proof made before his Majesty, or such as shall be by him appointed, by the Oath of two Witnesses, that any the Governors have neglected to take the said Oath, or having been willingly negligent in doing their Duty, the Governor so neglecting shall be removed from his Government, and forfeit 1000*l*.

Sect. 5. The two Naval Officers appointed by the Governors of the Plantations, by Virtue of 15 *Car. II.* cap. 7, shall, within two Months, or as soon as conveniently may be, after their Entrance upon the Office, give Security to the Commissioners of the Customs for his Majesty's Use, for their true and faithful Performance of their Duty, and in Default thereof, the Persons neglecting shall be disabled to execute the said Office, and until
such

such Security given, and the Person to the said Office be approved by the Commissioners of the Customs, the Governor shall be answerable for any Neglects or Misdemeanors of the Person by him appointed.

Sect. 6. All Ships coming into, or going out of any of the Plantations, and lading or unlading any Goods, whether the same be his Majesty's Ships of War, or Merchant's Ships, and the Commanders thereof shall be liable to the same Rules, Visitations and Forfeitures as to the entring, lading or discharging their Ships, as Ships are liable to in this Kingdom by 13 and 14 *Car. II.* cap. 11, for preventing Frauds in his Majesty's Customs; and the Officers for collecting his Majesty's Revenue, and inspecting the Plantation Trade, in the Plantations shall have the same Powers for searching of Ships, and taking their Entries, and for seizing Goods prohibited, or for which any Duties are payable, as are provided for the Officers of the Customs in *England* by the said Act, and also to enter Houses or Warehouses, to search for and seize such Goods; and all the Wharfingers, Lightermen, or other Persons assisting in the Concealment or Rescue of the said Goods, or in the hindering

bring the Officers in the performance of their Duty, and the Vessels employed in the conveyance of such Goods shall be subject to the like Penalties, as are provided by the same Act in relation to prohibited or uncustomed Goods in this Kingdom; and the like Assistance shall be given to the Officers, as by the said Act is provided for the Officers in *England*; and the Officers shall be subject to the same Penalties for any Frauds or Concealments, as Officers of the Customs in *England*; and in case any Officer in the Plantations shall be sued for any thing done in the execution of his Office, he may plead the General Issue, and have the like priviledges as are allowed by Law to the Officers of Customs in *England*.

Sect. 7. The Penalties before mentioned, not in this Act particularly disposed of, shall be one third to his Majesty, one third to the Governor of the Plantation where the Offence shall be committed, and the other third to such Person as shall sue for the same, to be recovered in any of his Majesty's Courts at *Westminster*, or in *Ireland*, in the Court of Admiralty in his Majesty's Plantations, or in any other Plantation belonging to any subject of *England*; and where any question shall

arise concerning the Importation or Exportation of any Goods into or out of the said Plantations, the Proof shall lie upon the Owner, and the Claimer shall be reputed the Importer or Owner.

Sect. 8. Notwithstanding the payment of the Duties granted by 25 *Car.* II. cap. 7. in any of the Plantations, none of the Goods mentioned in the Act shall be shipt until Security be given, as is required by the said Acts, to carry the same to *England, Wales,* or *Berwick*, or to some other of his Majesty's Plantations, and so *toties quoties* as often as any of the said Goods shall be brought to be re-shipt under forfeiture of Ship and Goods, to be divided as aforesaid.

Sect. 13. In all Bonds to be taken in the Plantations by 22 and 23 *Car.* II. cap. 26. the sureties shall be Persons of known Residence and Ability in the Plantations, and the condition of the Bonds shall be, within eighteen Months after the Date (the danger of the Seas excepted) to produce Certificate of having landed the Goods in one of his Majesty's Plantations, or in *England, Wales,* or *Berwick*, otherwise such Bond or Copies thereof attested under the Hand and Seal of the Governor,

vernor, to whom such Bonds were given, shall be in Force, and allowed of in any Court of *England, Ireland*, or the Plantations, as if the Original were produced.

Sect. 14. It shall not be lawful to put on Shore in *Ireland* any Goods of the produce of his Majesty's Plantations, unless the same have been first landed in *England, Wales*, or *Berwick*, and paid the Duties, under penalty of forfeiture of the Ship and Goods, three fourths without Composition to his Majesty, and the other fourth to him that shall sue for the same.

Sect. 15. Provided that if any Ship shall by stress of Weather be Stranded, or by reason of Leakiness or other Disability shall be driven into any Port in *Ireland*, and not able to proceed on her Voyage, the said Goods may be put on Shore, but shall be delivered into the Custody of the Collector or chief Officer of the Customs, untill the said Goods shall at the charge of the Owner thereof be put on board some other Ship, to be carried to some other Port in *England, Wales*, or *Berwick*, the Officer taking Security for the delivery of the same according to this Act.

No. 20. Stat. 4. *Geo. II.* cap. 15. Sect. 1. It shall be lawful to import into *Ireland* from his Majesty's Plantations in *America*, all Goods of the Growth or Manufacture of his Majesty's Plantations (except Sugars, Tobacco, Cotton, Wool, Indigo, Ginger, Specklewood, or *Jamaica*-wood, Fustick, or other Dying-wood, Rice, Melasses, Beaver-skins, and other Furs, Copper Ore, Pitch, Tar, Turpentine, Masts, Yards, and Bow-sprits) the Act of 7 and 8 of *William III.* cap. 22. notwithstanding.

Sect. 2. Provided that the Goods be imported in *British* Shipping, whereof the Master and three-fourths of the Mariners are *British*.

No. 21. Stat. 6. *Geo. II.* cap. 13. Sect. 4. No Sugars, Paneles, Syrrups, or Molasses, of the Growth of *America*, nor any Rum or Spirits of *America*, except of the Growth of his Majesty's Sugar Colonies, shall be imported into *Ireland*, but such only as shall be shipped in *Great Britain* in Ships navigated according to Law, under the Penalty of Forfeiting all Sugar, Paneles, Syrrups, or Molasses, Rum, or Spirits, or the Value thereof, together with the Ship in which the same shall

shall be imported; and such Commodities, with the Ship, may be seized by the Lord Lieutenant or Lords Justices, or by Warrant of any other Magistrate, or by any Custom-House or Excise Officer; and all Offences against this Act may be prosecuted in any of his Majesty's Courts of Record at *Westminster*, or in *Dublin*; and the Forfeitures recovered shall be divided, *viz.* one Moiety to his Majesty, and the other Moiety to the Informer.

Sect. 5. If any Person shall assist in landing such Sugar, Paneles, Syrrups, or Molasses, Rum, or Spirits, in *Ireland*, or any of his Majesty's Plantations in *America*, or shall receive into his House or Custody any such Commodities, knowing the same to be imported contrary to this Act, such Person shall forfeit treble the Value of such Goods.

Sect. 6. If any Person shall hinder any Custom-House, Impost, or Excise Officer, in the Execution of their Duty in seizing the Commodities afore mentioned, he shall Forfeit fifty Pounds, and shall also be liable to be prosecuted by Indictment or otherwise, and shall be imprisoned three Months; and if any Officer, or their Assistants, shall be sued for any thing done in Execution of this Act, they

may plead the general Issue; and if any Officer of the Customs or Excise in *Ireland*, or in the Plantations, shall connive at the Importation of the Commodities aforementioned, or shall seize any of the said Commodities, and by Fraud delay the Prosecution, he shall forfeit 50*l.* and be incapable of holding Office under his Majesty.

Sect. 7. If any Master of any Ship shall take in any Sugar, &c. to be imported into *Ireland*, or any of his Majesty's Plantations, contrary to this Act, such Master shall forfeit 100*l.*

Restrictions relative to Provisions.

No. 22, Stat. 18. *Charles II.* Chap. 2. Importation of Cattle, dead or alive, declared to be a common Nuisance, and if any great Cattle, Sheep or Swine, or any Beef, Pork, or Bacon, shall be imported or brought from beyond Sea, except for the necessary Provision of the Vessels in which it shall be brought, not exposing it to Sale, any Constable, Tything-man, Headborough, Churchwardens or Overseers of the Poor, may seize and keep the same forty-eight Hours, within which Time if it be made appear to some Justice of the Peace

Peace of the County, by Oaths of two Witnesses, that it was not imported contrary to this Act, it shall be delivered him upon such Justice's Warrant, else shall be forfeited, one Half to the Poor of the Parish where seized, the other Half to him that shall seize.

If any Ling, Herring, Cod, or Pilchard, fresh or salted, dried or bloated, or any Salmon-eels, or Congers, taken by Foreigners, be imported, or exposed to Sale, any Person may seize them, the one Half to be disposed to the Use of the Poor of the Parish where seized, the other to his own Use.

Cattle may be imported from the *Isle of Man*, not exceeding 600 Head yearly, and provided they be of the Breed of that Island, and landed at the Port of *Chester*, or Members thereof.

This Act to continue for seven Years, and from thence to the End of the first Session of the next Parliament.

No. 23. Stat. 32. *Chas.* II. Chap. 2. The Act made 18 *Charles* II. entitled, An Act against importing Cattle from *Ireland*, and other Parts beyond the Seas, and Fish taken from Foreigners, is revived, and Power given not only to Constables and Officers, but to

every Person whatsoever, to take and seize the Cattle and Goods imported contrary to the said Act and that such Seizer shall have the Benefit given by this Act.

And to prevent fraudulent Seizures, Sales, and Compositions, the Seizers shall, within six Days after Conviction and Forfeiture, cause the said Cattle, Sheep, and Swine to be killed, and the Hides and Tallow shall be to the Seizer, and the Remainder of the said Cattle, Sheep and Swine, shall be forthwith distributed amongst the Poor of the Parish, by the Churchwardens and Overseers, upon Notice thereof to be given by such Seizer.

If such Seizer, Churchwarden, or Overseer, shall fail in the Execution of this the said Duty, they shall severally forfeit 40 s. for every one of the great Cattle, and 10 s. for every one of the Sheep or Swine which should have been so killed, and distributed, one Moiety thereof to the Poor of the Parish, and the other to the Informer, to be levied by Distress, and the Sale of the Offender's Goods, by Warrant of any Justice of Peace, of the County or Place where the Offence is so committed, upon Confession of the Party, View of the Justices, or Oath of

one or more creditable Witnesses, (other than the Informer) the Overplus to the Owners necessary Charges of distraining deducted, and for Want of Distress the Offender to be committed to Goal for three Months, without Bail or Mainprize.

Proviso, Not to hinder the Importation of Stock-fish, or live Eels.

That no Mutton or Lamb shall be imported, and that all that shall be imported shall be subject to the like Seizures; and the Importers and Sellers to the like Penalties appointed by any former Act against the Importer or Seller of any Beef, Pork, or Bacon.

That no Butter or Cheese shall be imported from *Ireland*, and if imported, or exposed to Sale, shall be liable to the like Seizures, and the Importers and Sellers to the like Penalties, as are appointed in any former Law against the Importer or Importation of Beef, Pork, or Bacon.

If any great Cattle, Sheep or Swine shall be once or oftener seized, and afterwards, by Permission, Connivance, Negligence, or otherwise, removed and found alive in any other Parish or Place, they shall be liable to like Seizure; and the Seizer and the Poor of the
Parish

Parish or Place, to the like Benefit; and the Cattle, Sheep and Swine be forfeited, and the Proof incumbent upon the Owner, as if such Cattle had never been seized before.

If any *English* or other Cattle, driven or intermixed with *Irish* Cattle, shall be seized together with them, such Cattle shall be deemed *Irish*, and shall be subject to like Forfeiture, and shall be ordered and disposed in all Respects as if they were *Irish*.

18 *Cba.* II. chap. 2, and 20 *Cba.* II. chap. 7, suspended per Stat. 5 and 6 *W. and M.* as to Importation of Bacon, during Stat. 4 and 5 *W. and M.* Sess. 4, chap. 5.

Restrictions relative to GLASS.

Stat. 19. *George II.* Sect. 19. No Person shall import into *Ireland* any crown, plate, or Flint Glass, or white Glass, or any common Bottles, or other green Glass, or any Glass whatsoever, other than the Manufacture of *Great-Britain*, under the Penalty of such Glass being forfeited and destroyed within ten Days after Condemnation, and also the Ship in which the same was imported, with her Furniture: And the Master of such Ship, and every other Person concerned in importing

or assisting in the landing the same, shall forfeit 10s. for every Pound Weight thereof.

SECT. 20. The Master of every Ship which shall carry any crown, plate or flint-glass, white-glass or any common Bottles, or other green Glass, or any Glass whatsoever, to *Ireland*, shall take from the Collector or Comptroller of the Port of *Great-Britain*, where he lades such Glass, a Duplicate of his Contents in Writing, of all the Glass taken on Board his Ship, before he be permitted to sail, under the Hand and Seal of such Collector or Comptroller, which said Duplicate shall be delivered without Fee; and every Master of such Ship shall deliver upon Oath such Duplicate to the Collector, Comptroller, or other Officer of the Customs, in such Port in *Ireland* where such Ship arrives, and intends to unlade, before he be permitted to land any such Glass; and if any Glass be unladen in any Part of *Ireland*, before such Duplicate is produced, all such Glass shall be forfeited and destroyed within ten Days after Condemnation, and also the Ship in which the same was imported, be forfeited, with her Furniture; and the Master of such Ship, and every other Person concerned in importing of such Glass, or assisting
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in the landing the same, shall forfeit 10s. for every Pound Weight thereof.

Sect. 21. If any Person, directly or indirectly, or be any Ways assisting in the exporting out of *Ireland* any Glass whatsoever, or directly or indirectly load upon any Horse or Carriage, or any Ship in *Ireland*, any Glass, with Intent to export the same, or that any Person should export the same out of *Ireland*, every Person so offending, shall, for every such Offence, forfeit 10s. for every Pound Weight of Glass so exported or laden, and all Glass so exported and laden shall be forfeited and destroyed within ten Days after Condemnation, and every Ship or Vessel wherein any such Glass shall be shipped, shall be forfeited, with her Furniture.

Sect. 22. The Commissioners and Sub-Commissioners of Excise respectively, in their respective Districts in *Ireland*, or the major Part of them, shall determine all Offences against this Act, relating to the Exportation or Importation of Glass; and they may proceed in a summary Way, and give Judgment, and levy the Penalties, in like Manner as in Cases of Excise in *Ireland*; one Moiety to his Majesty, and the other Moiety to the Officer

Officer or other Person who shall inform or sue for the same.

Restrictions relative to SAIL-CLOTH.

Stat. 23. *George II.* cap. 32. Sect. 1. The several Duties following shall be paid to his Majesty, upon all Canvas or Sail-Cloth of the Manufacture of *Ireland*, imported into *Great Britain* (on which the Bounties of 4 *d.* and 2 *d.* a Yard respectively granted by an Act of Parliament in *Ireland*, in the 10th Year of his present Majesty's Reign, shall have been allowed) viz. for each Yard of such Canvas or Sail-cloth imported, of the Value of 14 *d.* a Yard, and upwards, a Duty of 4 *d.* and for each Yard of such Canvas or Sail-cloth imported, of the Value of 10 *d.* a Yard and under 14 *d.* a Yard, a Duty of 2 *d.* which Duties shall be levied and paid by such Means, and under such Penalties, and shall be applied to the same Uses as the Duties upon the Importation of foreign Sail-cloth.

Sect. 2. No Canvas or Sail-Cloth shall be imported from *Ireland* into this Kingdom, but in whole Bolts, or Pieces; and if the Loops or double Threads of the said Pieces so imported, which by the said Act of Parliament

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ment in *Ireland* are directed to be part of the Warp at the middle of that End of the Web which is last in weaving, shall be cut off, or if such Pieces be stamped with an Impression, importing the Payment of either of the said Bounties, then such Canvas or Sail-cloth shall be deemed to have received the said Bounty, and be liable to the Payment of the Duties payable by this Act.

Sect. 3. The said several Duties, by this Act imposed, shall be paid on all such Canvas and Sail-cloth imported into *Great-Britain*, for so long as the Bounties allowed in consequence of the said Act of Parliament of *Ireland* shall continue.

Sect. 4. Upon the Importation of any Canvas or Sail-cloth from *Ireland*, into this Kingdom, it shall be lawful for the Collector, Comptroller, or other proper Officer of the Customs, to open and examine the same; and if it appear that either of the said Bounties has been paid, and no regular Entry of such Canvas or Sail-cloth has been made at such Port where the same was so imported, then all the Canvas or Sail-cloth so omitted, to be entered, shall be forfeited and seized by any Officer of the Customs.

Sect. 5.

Se^ct. 5. If any Dispute arise touching the Duty to be paid upon such Canvas or Sail-cloth, such Duty shall be ascertained in the same Manner, and under the same Forfeitures as Duties upon the Commodities imported into this Kingdom, and subject to the Payment of Duties *ad valorem* are ascertained.

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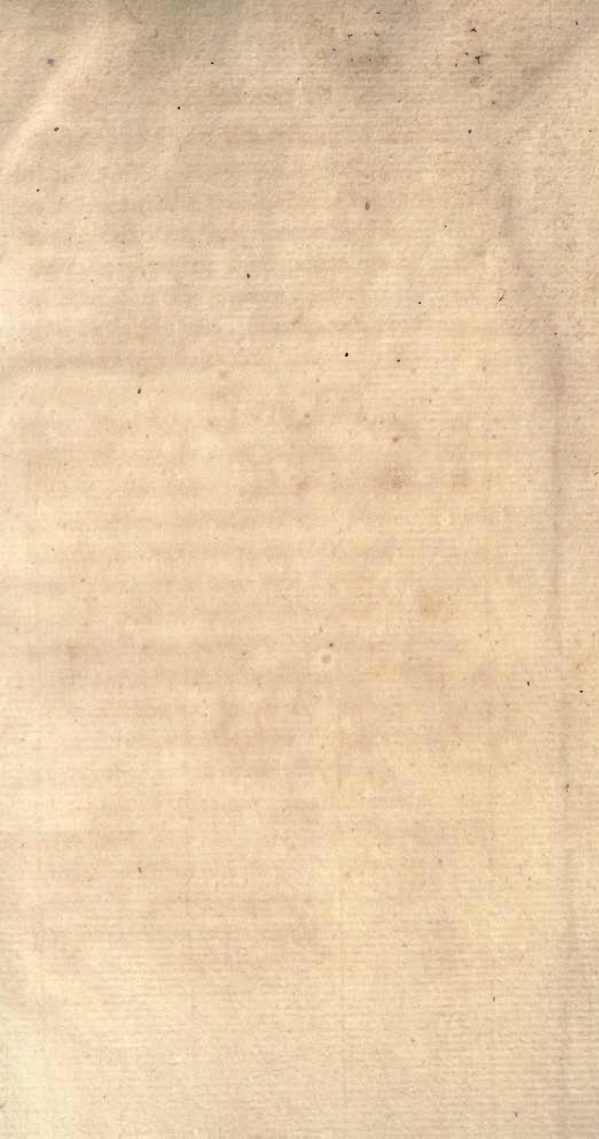


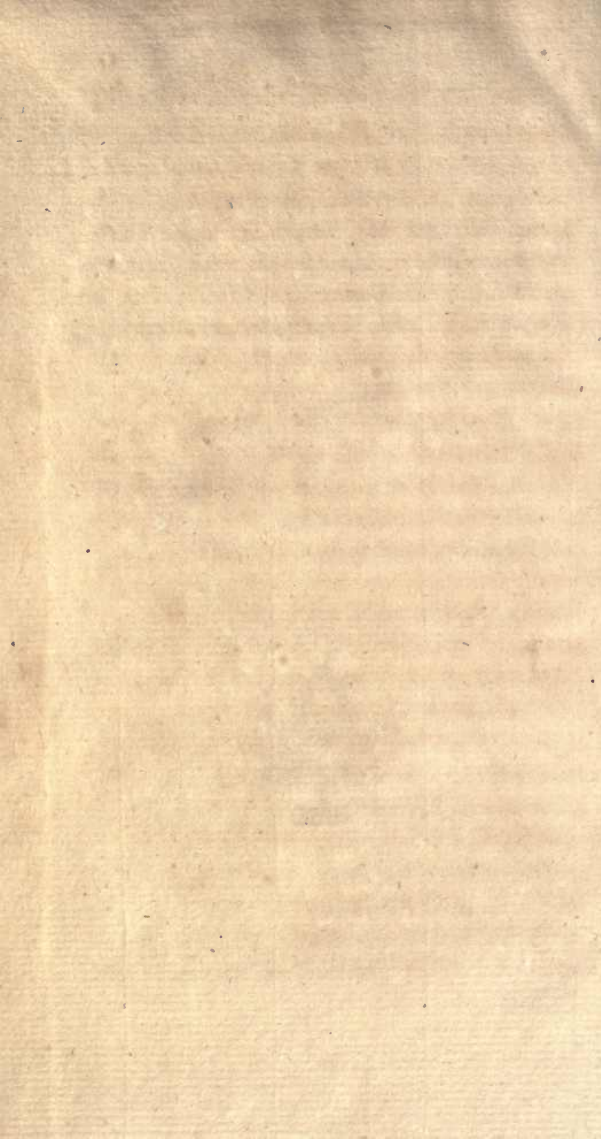
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